

# **Exhibit 13**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

HONORABLE TERRY PETTEWAY,	§	
et al.,	§	
Plaintiffs,	§	
	§	
	§	CIVIL ACTION
VS.	§	NO. 3:22-cv-00057
	§	
GALVESTON COUNTY, et al.	§	
Defendants.	§	

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ORAL AND VIDEOTAPED DEPOSITION OF

CHERYL JOHNSON

FEBRUARY 28, 2023

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ORAL AND VIDEOTAPED DEPOSITION of CHERYL JOHNSON,  
produced as a witness at the instance of the Plaintiff(s)  
and duly sworn, was taken in the above-styled and  
numbered cause on February 28, 2023, from 9:10 a.m. to  
5:28 p.m., before Molly Carter, Certified Shorthand  
Reporter in and for the State of Texas, reported by  
machine shorthand, with all attendees appearing remotely,  
pursuant to the Federal Rules of Civil Procedure.

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24  
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I N D E X

Appearances ..... 2

CHERYL JOHNSON

    Examination by Ms. Garrett ..... 9

    Examination by Ms. Copper ..... 134

    Examination by Mr. Newkirk ..... 179

    Examination by Ms. Olalde ..... 229

EXHIBITS

NUMBER	DESCRIPTION	PAGE
Exhibit 1	..... Cheryl Johnson Campaign Website	40
Exhibit 2	..... 1/14/21 Email Correspondence Re: County Commissioner and JP/Constable Precinct Lists with Current Number Registered Voters	62
Exhibit 3	..... 4/8/21 Email Correspondence Re: Old Commissioner Precinct Maps	71
Exhibit 4	..... 8/13/21 Email Correspondence with Galveston County Commissioner Precinct Voters Spreadsheet	74
Exhibit 5	..... 5/20/21 Email Correspondence Re: Asked and Answered!	77

1	Exhibit 6	.....	80
2		5/20/21 Email Correspondence Re: Redistricting Information	
3	Exhibit 7	.....	89
4		8/24/21 Email Correspondence Re: Current Voter Count by Precinct	
5	Exhibit 8	.....	90
6		9/23/21 Email Correspondence Re: Continuing Our Work	
7	Exhibit 9	.....	94
8		10/22/21 Email Correspondence Re: Voters in County by Precinct	
9	Exhibit 10	.....	95
10		11/3/21 Email Correspondence Re: Redistricting Scheduling	
11	Exhibit 11	.....	99
12		8/27/21 Email Correspondence Re: Gearing Up for Redistricting	
13	Exhibit 12	.....	108
14		11/9/21 Email Correspondence Re: Legislation Statuses & Redistricting	
15	Exhibit 13	.....	159
16		2/21/20 Tweet	
17	Exhibit 14	.....	161
18		2/23/20 Tweet	
19	Exhibit 15	.....	161
20		2/22/20 Article from The Daily News, "Johnson: Peden Ad 'Racist,' 'Discriminatory' and 'a Lie'"	
21	Exhibit 16	.....	169
22		1/8/18 Article from Big Jolly Politics, "Cheryl Johnson at Odds with Galveston County Judge Mark Henry	
23	Exhibit 17	.....	200
24		11/10/21 Email Correspondence Re: Legislation Statuses & Redistricting	
25			

1 Exhibit 18 .....205  
2 11/12/21 Email Correspondence Re: Map 1  
3 and 2 Breakdown  
4  
5 Exhibit 19 .....210  
6 11/15/21 Email Correspondence Re:  
7 Precinct List with Lots of Info  
8  
9 Exhibit 20 .....210  
10 DEFS00016755 Spreadsheet  
11  
12 Exhibit 21 .....217  
13 11/19/21 Email Correspondence Re:  
14 Permission to Proceed with Included  
15 Precinct Changes (Step One)  
16  
17 Exhibit 22 .....222  
18 11/15/21 Email Correspondence Re: Update  
19 Again!  
20  
21 Exhibit 23 .....226  
22 10/26/21 Email Correspondence Re: Kudos  
23  
24  
25



1 THE VIDEOGRAPHER: We are going on the record  
2 at 9:10 a.m., February 28, 2023. This is Media Unit 1 of  
3 the video-recorded deposition of Cheryl Johnson, taken by  
4 counsel for Plaintiff in the matter of Honorable Terry  
5 Petteway, et al., versus Galveston County, Texas, et al.,  
6 filed in the United States District Court for the  
7 Southern District of Texas, Galveston Division, Case  
8 Number 3:22-CV-00057.

9 My name is Christopher Archie, representing  
10 Veritext, and I'm the videographer. The court reporter  
11 is Molly Carter for the firm Veritext.

12 Counsel and all present, including remotely,  
13 will now state their appearances and affiliations for the  
14 record, beginning with the noticing attorney.

15 MS. GARRETT: This is Kathryn Garrett, here on  
16 behalf of NAACP Plaintiffs.

17 MS. COPPER: This is Alexandra Copper, here on  
18 behalf of Petteway Plaintiffs.

19 MR. NEWKIRK: Hi. This is Zach Newkirk on  
20 behalf of the United States.

21 MS. OLALDE: Angie Olalde, Jordan Raschke Elton  
22 and Mateo Forero on behalf of Defendants.

23 THE VIDEOGRAPHER: Okay. If that's everyone,  
24 will the court reporter please swear in the witness, and  
25 counsel may proceed.

1                                    CHERYL JOHNSON,  
2       having been first duly sworn, testified as follows:

3                                    E X A M I N A T I O N

4       BY MS. GARRETT:

5                Q        Good morning, Ms. Johnson. I appreciate your  
6       time today. My name is Kathryn Garrett and I'm one of  
7       the lawyers representing the NAACP Plaintiffs in this  
8       case.

9                                    Could you please state your name and full  
10      name -- or please state and spell your full name for the  
11      record?

12              A        Cheryl Johnson, C-H-E-R-Y-L, Johnson,  
13      J-O-H-N-S-O-N.

14              Q        Have you ever given testimony in a deposition  
15      before?

16              A        Not that I recall.

17              Q        Have you ever given testimony in court before?

18              A        Yes.

19              Q        So you have a bit of an understanding of what  
20      we're doing here today. You have been sworn in and are  
21      under oath to give accurate and truthful testimony today  
22      just as if you were in court.

23                                  Before we begin our conversation, I want to go  
24      over a few ground rules for how this deposition will  
25      proceed. If you have any questions, please let me know.

1 Today we have Molly Carter as our court  
2 reporter. She will be making a transcript of everything  
3 that occurs on the record today. To help make her job  
4 easier and to help ensure an accurate record, I ask that  
5 you give oral responses to all of my questions as opposed  
6 to non-oral responses such as nodding or shaking your  
7 head. Do you agree to do that?

8 A Yes.

9 Q First, if I ask you a question and you answer  
10 it, I will assume that you have understood the question.  
11 Fair enough?

12 A Yes.

13 Q If you aren't sure if you understand my  
14 question, please feel free to ask me and I will clarify  
15 or rephrase my question.

16 It's also important that we not interrupt or  
17 talk over each other. I'll do my best not to interrupt  
18 you when you are speaking, and in return, I ask that you  
19 wait until I finish my question before answering.

20 In addition, if your lawyer decides to object  
21 to any of my questions, they will want to do so before  
22 you answer.

23 Do you agree to do that?

24 A Yes.

25 Q I'm going to ask you some questions that take

1 us back in time. Other than the passage of time, is  
2 there any reason you can think of why you would not be  
3 able to accurately recall things that have happened in  
4 the past?

5 A No.

6 Q You are not on any medication that may affect  
7 your memory today; is that right?

8 A That's right, I'm not.

9 Q And you are not under the influence of anything  
10 that may affect your memory today?

11 A No, I am not.

12 Q As mentioned, your lawyer may object to some of  
13 my questions. Unless they instruct you not to answer,  
14 you still do have to answer the question. Does that make  
15 sense?

16 A Yes.

17 Q Other to -- other than to consult with your  
18 attorney about issues of privilege, you cannot  
19 communicate with anyone else about the questions I am  
20 asking or about your testimony. Do you understand that?

21 A Yes.

22 Q Is there anybody else in the room with you  
23 today?

24 A Yes.

25 Q Who is in the room with you today?

1           A     Angie, Jordan and Zach.

2           Q     Also, please make sure that your cell phone is  
3     turned off and that you're not able to see or view  
4     notifications during the deposition.

5                     You are not allowed to consult any written,  
6     printed or electronic information unless that information  
7     is provided to you by me or others -- or other attorneys  
8     asking questions today during the deposition.

9                     Do you agree to do that?

10          A     Yes.

11          Q     With that, do you have any documents in front  
12     of you today?

13          A     No, I do not.

14          Q     If you need a break at any point during the  
15     deposition, please let me know and we will accommodate  
16     that. Please note that if I have just asked you a  
17     question, I will ask you to respond before we take that  
18     break.

19                     And as a final note, this case is consolidated  
20     with cases brought by Terry Petteway and other  
21     individuals, as well as the Department of Justice,  
22     against Galveston County in the Southern District of  
23     Texas. Both the Department of Justice and counsel for  
24     the Petteway Plaintiffs will have an opportunity to ask  
25     you questions later today as well.

1                   So our first question for you, how long have  
2                   you lived in Galveston County?

3                   A       Since 1983.

4                   Q       Where did you grow up?

5                   A       Actually, I've been in Galveston County since  
6                   1999.

7                   Q       Where did you grow up prior to moving to  
8                   Galveston County?

9                   A       I grew -- I was born in New Jersey, and I grew  
10                  up there and in Pennsylvania.

11                  Q       Are you affiliated with or a member of any  
12                  local Galveston County organizations?

13                  A       Yes.

14                  Q       Which ones?

15                  A       The Santa Fe, Galveston, League City and  
16                  Hitchcock Chambers of Commerce, the Galveston Republican  
17                  Women and the Texas Gulf Coast Republican Women. I'm  
18                  also associated with the Texas Assessor-Collectors  
19                  Association.

20                  Q       For how long have you been a member of those  
21                  organizations?

22                  A       Various amounts of time.

23                  Q       Which one have you been a member of for the  
24                  longest period of time?

25                  A       The Chambers of Commerce.

1 Q Do you hold positions within these  
2 organizations?

3 A No, I do not.

4 Q How much time do you devote to these  
5 organizations generally?

6 A Typically an -- an hour a month.

7 Q For each or total?

8 A For each, depending on their meeting schedules.

9 Q Are you at all affiliated with the NAACP?

10 A No, I am not.

11 Q Are you affiliated with LULAC, the League of  
12 United Latin American Citizens?

13 A Would you repeat the question?

14 Q Yes. Are you affiliated with LULAC?

15 A No, I am not.

16 Q Can you describe your educational background?

17 A I am a professional certified collector and a  
18 certified tax office professional through the TACA, which  
19 is the Texas Association -- or Assessor-Collectors  
20 Association. I formally had a license with TDLR as a  
21 Texas assessor-collector. I am a previous real estate --  
22 licensed real estate agent in both Texas and  
23 South Carolina. I have an associate's degree from  
24 San Jacinto College.

25 Q What did you study or what was your associate's

1 degree in?

2 A Business administration.

3 Q Any education beyond the associate's degree,  
4 and the other licenses and certifications you mentioned?

5 A I've had over 300 hours in continuing education  
6 as a licensed real estate agent at various institutions,  
7 including University of North Carolina and Baylor  
8 College.

9 Q What was your first job after you earned your  
10 associate's degree?

11 A I was the director of information services at  
12 the Galveston Central Appraisal District.

13 Q What other jobs did you work after that?

14 A Tax assessor-collector.

15 Q And is that your current job in Galveston  
16 County that you're referring to?

17 A Yes, ma'am.

18 Q So to confirm, did you have any other jobs  
19 prior to your current job, other than the ones you've  
20 already mentioned?

21 A I've had prior jobs throughout my life.

22 Q What were some of those jobs?

23 A I was a real estate appraiser both in Texas and  
24 in South Carolina. I've had a small business doing  
25 demographic work for a short time period. And I've



1 worked in a variety of real estate-related fields,  
2 including architectural firms, real estate offices and  
3 real estate appraisal firms.

4 Q Can you tell me about -- a little bit more  
5 about the small business that you mentioned?

6 A It was called Demographic Profile Associates.  
7 It was strictly information that we would gather to  
8 assist governments with writing grants.

9 Q And for what years did you have that small  
10 business?

11 A I believe it was 2001 and '02.

12 Q And where was that business located?

13 A We worked from our homes.

14 Q And which -- you mentioned that you provided  
15 information to government entities; is that right?

16 A Yes, ma'am.

17 Q Which government entities did you provide that  
18 information to?

19 A The City of Bay City was our primary  
20 governmental entity that we assisted with -- with  
21 demographic work for grants.

22 Q And what kind of demographic information did  
23 you collect?

24 A Typically census data.

25 Q And then what would you do with that census

1 data when you -- how did you process it to give it to  
2 different various government entities?

3 A We would put it into charts and graphs, and  
4 sometimes summarize in paragraph form, depending on what  
5 their needs were.

6 Q What were some of those needs that they had?

7 A Obtaining grants from the federal government.

8 Q So today you work for Galveston County; is that  
9 right?

10 A I work for the voters of Galveston County.

11 Q Voters of Galveston County. And how long have  
12 you worked for the voters of Galveston County?

13 A 18 years.

14 Q And what is your job title?

15 A Galveston County tax assessor-collector.

16 Q Do you have any other titles?

17 A I'm also voter registrar.

18 Q How do those two roles or job titles overlap?

19 A By virtue of being the tax assessor-collector,  
20 I am the voter registrar.

21 Q And how did you get that job? Did you apply  
22 for it?

23 A No. I ran for public office.

24 Q When were you first elected?

25 A 2004.

1 Q And how many times have you been elected?

2 A I -- I don't remember. I guess eight times.

3 I've served 18 years, so six times.

4 Q When were you last elected?

5 A 2020.

6 Q Did you run opposed in that election?

7 A In the primary, yes.

8 Q In the primary. And which primary was that?

9 A The Republican primary.

10 Q Have you always been a member of the Republican  
11 party?

12 A No.

13 Q When did you become a member of the Republican  
14 party?

15 A You become a member of a party by virtue of  
16 running for office in that primary or by voting in that  
17 primary in Texas.

18 Q Have you always run as a Republican in  
19 elections?

20 A No. When I was on the school board, it was a  
21 nonpartisan position.

22 Q To what extent were you involved in politics  
23 prior to your current job?

24 A I was on the school board in Clear Creek ISD  
25 for two terms -- three terms.

1 Q Do you hold any titles or positions within the  
2 Republican party?

3 A No.

4 Q How often do you attend GOP meetings as it  
5 relates to your -- or do you -- how often do you attend  
6 GOP meetings, if you attend?

7 A I've never necessarily attended a GOP meeting.

8 Q In general, can you describe your 2020 campaign  
9 process?

10 A The process? You sign up the December before  
11 to run in the primary, which I did, and you run in the  
12 primary. And I was unopposed in the November election.

13 Q Did you hold or conduct any events as part of  
14 that campaign?

15 A Yes, ma'am.

16 Q Which events did you hold?

17 A Probably too many to recall all. Campaign  
18 fundraisers predominantly. Town hall meetings. I  
19 attended candidate forums.

20 Q Did you campaign in any majority or minority  
21 neighborhoods?

22 A I don't recall.

23 Q Did you meet with any community groups?

24 A Not that I recall specifically. If a group had  
25 a forum, I certainly attended.

1 Q Did the 2011 redistricting cycle come up during  
2 your 2020 campaign at all?

3 A Not that I recall.

4 Q So as the Galveston County tax  
5 assessor-collector, what are your responsibilities  
6 generally?

7 A I assess, which is calculation, and collect  
8 taxes on properties in both Galveston and Harris  
9 counties. For 36 jurisdictions, I am the voter  
10 registrar. We also work on behalf of the -- the  
11 Secretary of State in that capacity. The Texas  
12 Department of Motor Vehicles performing registration and  
13 titling services. Texas Parks and Wildlife performing  
14 licensing of water vessels. Texas Alcoholic Beverage  
15 Commission processing liquor licenses. And that's  
16 basically all that I recall off the top of my head.

17 Q You mentioned that the voter registrar works  
18 with the Secretary of State, is that right --

19 A Yes.

20 Q -- in your role as voter registrar?

21 A Yes.

22 Q And does that -- is it -- what is your role  
23 with the redistricting process specifically for the  
24 commissioners precinct lines, either as voter registrar  
25 or tax assessor-collector?

1           A     Our primary function is to receive changes that  
2     are made to various -- various election precincts and  
3     implement those changes into the TEAM, Texas Election  
4     Administration Management system, that we are associated  
5     with through the Secretary of State. So predominantly  
6     and pretty much solely, it's updating boundaries as they  
7     are provided -- updating the entitlements associated with  
8     the boundaries that are adopted by the local governments.

9           Q     Have you used the TEAM system for the full  
10    duration of your time with Galveston County?

11          A     The Secretary of State performed an update into  
12    TEAM, I believe, in 2006 or '07. The prior system was  
13    TDRS. And before that the county had a private software  
14    company. I believe it was Netdata.

15          Q     Do you have a say or an opinion in how any of  
16    those boundaries are drawn?

17          A     No, ma'am.

18          Q     Does your office collect voter data with  
19    respect to any racial demographics of voters in Galveston  
20    County?

21          A     Only when required by the Secretary of State.

22          Q     Under what circumstances does the Secretary of  
23    State require that data to be collected?

24          A     It's actually extracted from the TEAM system.  
25    And I bel- -- I'm not certain how they identify what

1 is -- how -- how those are all specified.

2 Q Does your office collect voter data with  
3 respect to any socioeconomic demographics of voters in  
4 Galveston County?

5 A No.

6 Q Does your office collect voter data with  
7 respect to any political demographics of voters in  
8 Galveston County?

9 A The only process would be if we are requested  
10 through open records request to provide voters in the  
11 Democrat or Republican primary elections.

12 Q So of this -- of any voter data that you  
13 collect, who is this information shared with?

14 A Whoever the requester is in the open records  
15 request.

16 Q Have any of the Galveston County commissioners  
17 or county judge requested this voter data information  
18 from you?

19 MS. OLALDE: Objection, overbroad in regards to  
20 what time you're talking about.

21 MS. GARRETT: I can rephrase.

22 Q (By Ms. Garrett) During the 2021 redistricting  
23 cycle, did any of the commissioners or Judge Mark Henry  
24 request any voter data from your office?

25 A Not that I recall.

1 Q How do you communicate with localities in  
2 Galveston County on their redistricting?

3 A Typically through emails and only as a planning  
4 process, part of a planning process.

5 Q Can you describe that planning process a little  
6 bit more?

7 A In anticipation of -- since receipt of census  
8 data, we have multiple jurisdictions that have single  
9 member districts, and I will reach out to them to have --  
10 ask them to share their schedules, what their timelines  
11 might be, so that I can properly staff my office and  
12 obtain funding, if necessary, through commissioners to  
13 perform whatever changes we're going to have to make to  
14 the entitlements and the boundaries that they adopt.

15 Q So you mentioned hiring, or bringing in staff.  
16 Where do you pull in staff members from? Do you hire  
17 temporary staff? Do you bring them in from other parts  
18 of your office? What do you mean by bringing in staff or  
19 working on staff?

20 A In some instances it's bringing in current  
21 staff. We've had the same problem as everybody else in  
22 the country hiring temporary workers, but predominantly  
23 we advertise for temporary workers 24/7 on the county  
24 website.

25 Q And that's 24/7 just during redistricting or --



1 A Year-round.

2 Q -- as a general rule? Year-round?

3 A As a general rule.

4 Q And then you mentioned funding. What  
5 funding -- the fund -- what are the funding sources that  
6 your office seeks for redistricting?

7 A That would be through county commissioners and  
8 the budget process.

9 Q Who typically sets that budget?

10 A The county commissioners.

11 Q Do you get to express an opinion about what  
12 that budget should be?

13 A I submit a requested proposed budget to them.

14 Q And how often do you submit a requested budget  
15 proposal?

16 A Annually. Sometimes it has to be revised and  
17 we submit additional requests up until they actually  
18 adopt the budget, if necessary.

19 Q And is that around a similar time each year,  
20 the same month every year you submit that?

21 A Yeah. Typically begins in April.

22 Q And then what information do you typically need  
23 to put that budget together?

24 A 95 percent of my budget is staffing, and so we  
25 project -- we look at projections, look at history and

1 projections on the work that we anticipate through the  
2 next year and try to set that budget. Sometimes it's --  
3 at different times we have to hire vendors to assist us.  
4 For example, this year is mass mailout, so we will seek a  
5 vendor to help us fund the mass mailout of voter  
6 registration certificates that will occur later this  
7 year.

8 Q Can you describe the people that are in your  
9 office?

10 MS. OLALDE: Objection, vague.

11 Q (By Ms. Garrett) How many people work in your  
12 office?

13 A Counting myself, 53.

14 Q Of those 53, how many people do you directly  
15 supervise?

16 A I have direct contact with two chief deputies  
17 daily, but also a support services team.

18 Q And are they all full-time staff?

19 A Yes.

20 Q How often do you meet with those that you  
21 directly supervise?

22 A Daily.

23 Q Are those individuals involved in  
24 redistricting?

25 A I beg your pardon? Would you repeat the

1 question?

2 Q Sure. Are those individuals that you supervise  
3 involved in redistricting?

4 MS. OLALDE: Objection, vague.

5 You can answer.

6 THE WITNESS: I can answer?

7 MS. OLALDE: Uh-huh. Any time I make an  
8 objection, unless I'm instructing you not to answer, you  
9 can answer --

10 THE WITNESS: I can answer, okay.

11 MS. OLALDE: -- to the extent you understand  
12 her question.

13 A The chief deputy of business services oversees  
14 voter registration, and so her and I work together on  
15 performing the entitlement changes. The support services  
16 staff assist in the auditing once changes are made in the  
17 system, and that's three individuals.

18 Q (By Ms. Garrett) Does anyone supervise you?

19 A The voters of Galveston County.

20 Q How do you typically communicate with the other  
21 individuals in your office?

22 A In person, frequently through email. I have  
23 four different locations -- three different locations  
24 outside of Galveston and two satellite offices, so email  
25 is the primary source of communication with office staff.

1 Q How many emails do you have? Do you use your  
2 personal email for work at all?

3 A I do my very best not to use my personal email  
4 for work.

5 Q Do you ever text with members of your staff?

6 A Yes, we have county cell phones and we will  
7 text each other occasionally, predominantly during  
8 disasters when we cannot communicate effectively any  
9 other way.

10 Q And then you mentioned that you work with two  
11 chief officers daily; is that right?

12 A Would you repeat that? I'm sorry.

13 Q Is it -- am I accurate in saying that you work  
14 with two chief officers on a daily basis in your office?

15 A Chief deputies on a daily basis, if not in  
16 person, then via telephone or email.

17 Q And what are their names?

18 A LaTonya Dominic is the chief deputy of property  
19 tax and support services, and Kathleen Moreno is the  
20 chief deputy of business services.

21 Q So you mentioned that in your role as voter  
22 registrar, you work with the Texas Secretary of State.  
23 Could you describe a little bit more about that  
24 relationship?

25 A Predominantly, we receive directives from them.

1 We attend annual conferences. Some of us attend annual  
2 conferences, after -- typically at the end of summer  
3 after legislative session is when most of us attend  
4 those. Predominantly, directives we receive via email,  
5 and then they provide work to my staff, my voter  
6 registration department staff and what's called the task  
7 summary screen system of TEAM. We're an online county  
8 with the Secretary of State.

9 Q How often do you correspond with the Texas  
10 Secretary of State?

11 A As often as they correspond with me.

12 Q How often is that, typically, on an average  
13 basis?

14 A It depends on what's going on. During  
15 elections, it's frequently. Over the last several weeks,  
16 they've been holding webinars and sending out -- out  
17 schedules pretty regularly, a couple of times a week.

18 Q In 2021, did you keep track of the state  
19 legislature's actions in conducting statewide  
20 redistricting?

21 A Not really. It became too delayed. It was  
22 very hard to keep up with.

23 Q What were the reasons for that delay?

24 MS. OLALDE: Objection, calls for speculation.

25 To the extent you know, you can answer.

1           A     The census data was late this year -- or in  
2     2021. 2020 census data was not released until later than  
3     typical.

4           Q     (By Ms. Garrett) Have you ever used your  
5     personal email for work?

6           A     Occasionally to send files so that I can print  
7     them on the home printer if I'm working from home.

8           Q     So you would use it to email yourself but not  
9     others. Is that accurate?

10          A     I would say that that's accurate.

11          Q     When did you first learn about this litigation?

12          A     Which litigation? The 2011 redistricting? I  
13     think they all were rolled together.

14          Q     This current litigation that we are in this  
15     deposition for.

16          A     Whenever the newspaper put it in the --  
17     whenever it was published in the newspaper as a news  
18     article, and I do not recall when that was.

19          Q     Did you read that news article pretty shortly  
20     after it was published?

21          A     I do not recall. I would have -- I receive the  
22     paper daily.

23          Q     What news sources do you typically consult?

24          A     Do I consult? The Galveston Daily News is a  
25     local paper. The Post is another local newspaper. As

1 far as news sources that I consult, I watch the morning  
2 news. I watch sometimes the evening news. I  
3 occasionally receive smart news on my tablet.

4 Q Other than from the news, did you hear about  
5 this litigation from anyone else?

6 MS. OLALDE: Objection, overbroad.

7 You can answer.

8 THE WITNESS: I can answer?

9 MS. OLALDE: Sure.

10 A Not that I recall specifically.

11 Q (By Ms. Garrett) Are you familiar with the  
12 allegations in this litigation?

13 A Not specifically.

14 Q You mentioned that you've provided testimony in  
15 court before; is that right?

16 A Yes, ma'am.

17 Q Under what circumstances did you provide that  
18 testimony?

19 A It was a lawsuit, I believe, in 2012 in federal  
20 court in which I was named along with the Secretary of  
21 State. I believe the Plaintiff was Voting for America.

22 Q And what was that case about?

23 A The legislature had adopted rules and  
24 regula- -- or laws for volunteer deputy registrars, and I  
25 had worked with various legislators on passage of that

1       legislation.

2           Q     And which legislation was at issue in that  
3       case?

4           A     I don't remember specifically the chapters of  
5       the election code, but it would have been pertaining to  
6       volunteer deputy registrars.

7           Q     Did you meet with anyone to prepare for this  
8       deposition?

9           A     The attorneys that are present in this room,  
10      Angie and Jordan.

11          Q     How many times did you meet with them?

12          A     Twice.

13          Q     And for how long did you meet with them?

14          A     I think a couple of hours on one day and maybe  
15      four hours the next day.

16          Q     And how long ago was that?

17          A     Last week.

18          Q     And was anybody else in the room when you met  
19      with your attorneys?

20          A     Angie was in the room. Others attended via  
21      Zoom.

22          Q     Who else was on Zoom when you met with Angie in  
23      preparation for this deposition?

24          A     I'm not sure I know the names of everybody.  
25      Jordan, Mytelka --



1 MS. OLALDE: Kathryn, I can represent to you  
2 that it was only attorneys speaking with Ms. Johnson, if  
3 that helps. She may not remember all the names.

4 A I don't remember all the names. I'm not  
5 sure who's -- I may have been introduced to everybody,  
6 but I don't recall.

7 Q (By Ms. Garrett) Are you aware that other  
8 individuals have been deposed in this matter?

9 A I have been told that, yes.

10 Q Did you speak with any of those individuals  
11 about their testimony?

12 A I did not speak with them about their  
13 testimony.

14 Q Did you review any documents in preparation for  
15 this deposition?

16 A Only those that were presented as exhibits by  
17 Angie.

18 Q What types of documents did you review?

19 A There were news articles. I think that was the  
20 predominant, I guess, column I had written. Some emails.

21 Q How did you review these documents? Did you  
22 see them on a screen? Were they on paper?

23 A They were on paper.

24 Q Did these documents refresh your memory of  
25 events and conversations?

1 A Yes, they did.

2 Q Which documents refreshed your recollection of  
3 the events and conversations?

4 A Each of the documents that was presented  
5 refreshed my memory.

6 Q So you mentioned news articles. Which -- what  
7 was -- or what were these news articles about that you  
8 reviewed?

9 A A couple of them pertained to the primary  
10 election in 2020. Another pertained to a decision -- or  
11 actually, a vote taken by the Texas Department of Motor  
12 Vehicles board, of which I was a member. And another was  
13 a guest column that I had written.

14 Q And what was that article that you wrote about?

15 A We were receiving many phone calls from voters  
16 whose voter certificates had expired and they were  
17 concerned they would not be able to vote in the upcoming  
18 election. So I wrote a new information piece to inform  
19 them of what was underway, what was going on, and that  
20 was during the 2011 redistricting process.

21 Q And then the emails that you reviewed, what  
22 were those emails related to?

23 A Predominantly my communications with the  
24 various governments that have single member districts in  
25 Galveston County that I would be assisting with changing

1       their entitlements upon their decisions.

2           Q       And what time period were these emails from?

3           A       I believe the first one I wrote was in December  
4       2019.

5           Q       Were the articles and emails that you reviewed  
6       in this -- it's probably best answered by your  
7       attorney -- were these produced to Plaintiffs?

8           MS. OLALDE:   Yes, Ms. Garrett, they were.   I'm  
9       sorry, rephrase your question and I'll do my best to  
10      answer for you.

11          MS. GARRETT:   Rephrase?   I can rephrase.

12          Q       (By Ms. Garrett) Of the documents that  
13      Ms. Johnson reviewed, were these all produced to  
14      Plaintiffs?

15          MS. OLALDE:   Everything she reviewed -- I don't  
16      know about the news articles, you'd have to speak with  
17      Sean.   I think that's all publicly available anyway.

18          Q       (By Ms. Garrett) How else did you prepare for  
19      this deposition?

20          A       I tried to get a good night's sleep and not  
21      drink espresso.

22          Q       What is your office's role in commissioners  
23      precinct redistricting in Galveston County?

24          MS. OLALDE:   Objection, asked and answered.

25          But you can answer.

1       A     I have no role in the decision-making process.  
2       My role is strictly in the implementation of making the  
3       changes, implementing the changes in -- in TEAM to ensure  
4       that the voting precincts were properly changed.

5           Q     (By Ms. Garrett) Is that similar to statewide  
6       redistricting? Is your role similar for statewide  
7       redistricting?

8           A     I'm not -- I'm not sure I understand the  
9       question.

10          Q     I guess --

11          A     Could you rephrase that?

12          Q     Yes. Let me ask it this way. What is your  
13       office's role in statewide redistricting?

14          A     We receive notification or we read in the  
15       newspaper sometimes that the legislature has acted to --  
16       and through the Secretary of State's emails as well, that  
17       the legislature has voted to approve congressional  
18       districts, House and Senate districts, and State Board of  
19       Education. And upon that notification, we have to go out  
20       and seek the maps.

21          Q     What do you mean by you "have to go out and  
22       seek the maps"?

23          A     Nothing was specifically provided to us, that I  
24       recall. We had to go to State of Texas websites to  
25       download the PDF files of changes.

1 Q So looking to specifically commissioners  
2 precinct redistricting, to your knowledge, who typically  
3 draws the commissioner precinct maps?

4 A The county commissioners and county judge.

5 Q And then to your knowledge, who selects the  
6 commissioners' precinct maps?

7 A The county commissioners and county judge.

8 Q You mentioned that you collect PDF files of the  
9 maps from the Secretary of State website; is that right?

10 A I'm not sure they were on the Secretary of  
11 State website. I do not recall where the link was taking  
12 us.

13 Q But you went out and you sought out the map and  
14 you received a PDF file; is that right?

15 A Yes. We would download the PDF files from  
16 links that would be provided.

17 Q And then what would you do with that PDF file?

18 A After saving it on my computer, trying to print  
19 a big enough copy that I could determine what changes  
20 would need to be made to our various voting precincts in  
21 order to implement those changes.

22 Q Was that something that you did -- you  
23 mentioned that you printed the file. So in evaluating  
24 the changes that need to be made, is that something you  
25 did by hand or did you use a computer software program?

1           A     I wish I had a computer software program. So  
2     we would take the 2011 maps and compare those manually to  
3     the adopted maps, and it was my job to identify the  
4     changes, the areas of change, so that we could begin  
5     implementation.

6           Q     How long did that typically take to make note  
7     of those changes?

8           A     This last time, not very much. Maybe  
9     overnight, a couple of days.

10          Q     What was your process for manually comparing  
11     the maps?

12          A     I'd look at the prior, at the time, existing  
13     maps and compared them to the approved maps, the adopted  
14     maps, and try to identify specific areas. We were  
15     fortunate in that the legislature moved entire election  
16     or voting precincts when they made changes, so it was a  
17     fairly simple process for us to identify what voting  
18     precincts needed to be changed for each one of the  
19     various positions.

20          Q     And again, you did this for every map that you  
21     helped implement?

22                 MS. OLALDE: Objection, vague.

23          A     And I may answer that. I'm not certain I  
24     understand the question.

25                 MS. OLALDE: So any time you don't understand a

1 question, you can ask her to --

2 THE WITNESS: Yes.

3 MS. OLALDE: -- clarify the --

4 A If you could clarify that.

5 Q (By Ms. Garrett) For which maps would you  
6 manually compare? Which maps did you manually compare?

7 A The -- the 2011 maps that had been adopted and  
8 that were in place at the time to the maps that were  
9 adopted for each one of the jurisdictions, for each one  
10 of the positions for the state.

11 Q How many jurisdictions did you have to compare  
12 for the state?

13 A For the state, we looked at U.S. congressional,  
14 and there were no changes in Galveston County that  
15 affected us. Texas Senate, there were no changes that  
16 affected -- well, I take that back. There could have  
17 been changes to Brandon Creighton's district, the Texas  
18 Senate position. But I looked at those only as they  
19 affected Galveston County. And Texas House, there were  
20 several changes for the Texas House, and there were  
21 multiple changes for the State Board of Education.

22 Q So is it the case that it's easier to manually  
23 compare these maps when the voting precincts are kept  
24 whole in the adopted map?

25 A Yes. Using the Texas Secretary of State's

1 |       redistricting module, that was the easiest method of  
2 |       making changes.

3 |       Q     So once you've manually compared the maps, what  
4 |       is the next step?

5 |       A     For the state level, the next step would be to  
6 |       provide a listing of changes to Ms. Moreno, and she would  
7 |       provide that information to the voter registration  
8 |       personnel at the time working on those changes.

9 |       Q     In 2021, when did you manually compare the maps  
10 |      and share this information with Ms. Moreno?

11 |      A     To clarify, are you referring to the state and  
12 |      federal changes?

13 |      Q     Yes.

14 |      A     It would have been in December 2021.

15 |      Q     Did you have a deadline, a strict deadline to  
16 |      meet for getting those -- for finishing that manual  
17 |      comparison and sharing that information with Ms. Moreno?  
18 |      Was there a hard deadline?

19 |      A     There was a hard deadline established by the  
20 |      Secretary of State for us to mail out voter registration  
21 |      certificates. Those changes needed to be made in advance  
22 |      of generating the file to send to the print vendor.

23 |      Q     Do you recall when that deadline was?

24 |      A     Without referring to that election advisory,  
25 |      no. I believe it was mid-January.



1 Q To what extent is redistricting performed  
2 in-house?

3 THE REPORTER: In what? I'm sorry?

4 A We don't perform redistricting in-house. When  
5 I refer to redistricting, it is the process of receiving  
6 the changes, whether in the form of maps initially, maps  
7 and shapefiles, and turning those into usable --  
8 comparing those to our street range list to determine  
9 where the changes are that need to be made.

10 And I'm not sure I fully answered your  
11 question. If you want to repeat it, I can validate that.

12 MS. GARRETT: Real fast, are we all set up with  
13 Exhibit Share at this point? Do we all have access to  
14 Exhibit Share?

15 MS. OLALDE: Ms. Garrett, I do, thank you for  
16 asking.

17 Q (By Ms. Garrett) I would like to mark Tab 10 as  
18 an exhibit.

19 MS. OLALDE: I'll let you know when it pops up.

20 MS. GARRETT: Thank you.

21 THE REPORTER: May I ask who is speaking?

22 MS. OLALDE: This is Angie Olalde. I  
23 apologize. You won't see my box light up because I'm  
24 using Ms. Johnson's speaker.

25 MR. MUNK: Exhibit 1 has been introduced.

1 Q (By Ms. Garrett) Ms. Johnson, can you see  
2 Exhibit 1?

3 MS. OLALDE: Just one moment. Is there --  
4 okay. Let's see.

5 A Yes, I can see it.

6 Q (By Ms. Garrett) Do you recognize this  
7 document?

8 A It appears to be my campaign website.

9 Q I'm looking at the top of Page 2. There's a  
10 bullet point that reads "Established" -- or it mentions  
11 ways you reduce costs. In the last bullet point in that  
12 box, it reads "Established automated motor vehicle  
13 registration & tax payment processing, performed  
14 redistricting in-house." Did I read that correctly?

15 A Yes, ma'am.

16 Q In that -- as part of your campaign page, what  
17 does that mean to perform redistricting in-house?

18 A What that means to me as voter registrar is  
19 that we received maps and data, data files from the  
20 various governmental entities and updated the boundaries  
21 as appropriate to update the voter registration  
22 entitlements.

23 Q Why did you include this as part of your  
24 campaign page?

25 A Because it was an enormous task, and we saved

1 thousands of dollars, I believe, by virtue of not hiring  
2 outside vendors to make those changes.

3 Q Other than saving money, are there any other  
4 advantages to conducting redistricting in-house in this  
5 way that you were just discussing?

6 A In what I'm referencing, the advantage was, we  
7 were going to have to audit anything a vendor did anyway,  
8 so we were able to establish timelines, perform the work,  
9 and have teams put together to audit the work as the work  
10 was being performed. So it was a very efficient process.

11 Q Was redistricting completed in-house in this  
12 way both in 2011 and 2021?

13 A Yes. In 2011, it became necessary to hire a  
14 vendor to assist with Galveston Island changes because  
15 they were so complex. We did not have any vendors in  
16 this most recent update.

17 Q And your office was fully equipped to handle  
18 this redistricting process, especially with the budget  
19 and temporary staff that you were able to bring on?

20 A In 2011?

21 Q Or in 2021.

22 A We've made it work.

23 Q What were your goals for the 2021 redistricting  
24 process?

25 A To implement the changes properly.

1 Q Did you have any other goals?

2 A I think that that's a pretty sizeable goal in  
3 itself. It's a very short response, but it's a massive  
4 operation, massive task.

5 Q In 2021, how much of your time was spent on  
6 this redistricting process?

7 A From beginning to end?

8 Q Yes.

9 A Probably anywhere from 20 to 60 hours a week  
10 for several months. We only recently made changes for  
11 the City of La Marque and Texas City and College of the  
12 Mainland.

13 Q And at what point in 2021 did that 20 to 60  
14 hours a week begin? Was it January 2021? July 2021?  
15 What month, roughly, did that process begin for your  
16 office?

17 A We may have started some work in November, but  
18 predominantly, it was December.

19 Q To what extent was your office involved in  
20 redistricting prior to a map being adopted?

21 A We were not involved in the decision-making  
22 process. My only -- our only involvement or my only  
23 involvement was to determine a schedule so that I could  
24 assign staff or know when I needed staff available in  
25 order to make the changes.

1 Q How did you go about creating a schedule for  
2 redistricting?

3 A Once we identified the entities that were going  
4 to need changes, I tried to stay in touch with them --  
5 not very successfully, I will say -- to know when those  
6 changes would be expected and to plan my staffing  
7 accordingly -- accordingly. And I needed temporary  
8 workers to perform the normal duties of voter  
9 registration so that my full-time staff could make  
10 changes as necessary.

11 Q You mentioned reaching out to entities, did  
12 that include the Galveston County Commissioners Court?

13 A Yes, ma'am.

14 Q And who on the Galveston County Commissioners  
15 Court did you reach out to when you were putting together  
16 these schedules?

17 A All of the courts, the commissioners, county  
18 judge and commissioners and their chiefs of staff.

19 Q When -- do you recall when you first reached  
20 out to them for the 2021 redistricting cycle?

21 A I believe it was December 2019 when I first  
22 reached out to everybody. And then at various times as  
23 we would get notification or I would read that the  
24 government -- U.S. government was actually in the process  
25 of providing census data, I would try and reach out to

1       them again.

2               Q     What information from these entities was most  
3       helpful for you as you were putting together schedules?

4               A     Their timelines, what months. I believe the  
5       very first entity that provided changes was the City of  
6       Galveston.

7               Q     And by "timeline," do you mean timeline for  
8       selecting the adopted map?

9               A     The timeline of implementing the maps that they  
10      adopted.

11              Q     So did you want to know when they planned to  
12      adopt the map?

13              A     Yes, ma'am.

14              Q     Did you want to know when they might be meeting  
15      to discuss adoption of the map or selecting a map?

16              A     I asked for that information, and I can't say  
17      that they were very responsive.

18              Q     Was the Galves- -- to what extent was the  
19      Galveston County Commissioners Court responsive to your  
20      requests in 2021?

21              A     I don't recall receiving any responses from  
22      Galveston County Commissioners Court to my emails.

23                    MS. OLALDE: I'm sorry, we've been going about  
24      an hour. Just whenever we get to a breaking point, could  
25      we take a short break?

1 MS. GARRETT: We could take a break now, if  
2 that works for you.

3 MS. OLALDE: Sure.

4 MS. GARRETT: Could we go off the record?

5 THE VIDEOGRAPHER: Okay. Current time is  
6 10:16. We are now off the record.

7 (Recess.)

8 THE VIDEOGRAPHER: Current time is 10:41 a.m.,  
9 and we're now back on the record.

10 Q (By Ms. Garrett) Ms. Johnson, did you speak  
11 with anyone during the break?

12 A Yes.

13 Q With whom did you speak?

14 A To those present in the room, Jordan, Angie and  
15 Zach.

16 Q Is it still the case that only those  
17 individuals are in the room with you now?

18 A Yes, ma'am.

19 Q And is it still the case that you have no  
20 documents in front of you today?

21 A Yes, ma'am.

22 Q Do you know Nathan Sigler?

23 A Yes.

24 Q For how long have you known him?

25 A I've known him well -- well, more -- during

1     redistricting, we developed a relationship as far as  
2     working closer together when the redistricting for the  
3     county began.

4             Q     And by "redistricting," you mean 2021  
5     redistricting?

6             A     Yes. The only time that I really interact with  
7     Nathan is when I need maps from the engineering  
8     department, and he is -- he is my point of contact.

9             Q     Is he a point of contact when you're doing  
10    those manual comparisons of the maps that you were  
11    testifying about earlier?

12            A     To some extent, yes. He would provide lists of  
13    precincts to me.

14            Q     How often during the 2021 redistricting did you  
15    correspond with Nathan Sigler?

16            A     I would be guessing, but I would probably say  
17    multiple times a day at times.

18            Q     And in general, how did you communicate with  
19    him? Via email? Phone? In person?

20            A     Email would oftentimes result in an in-person  
21    meeting receiving the maps or he would come up to our  
22    office to answer questions and to help us use his GIS  
23    system.

24            Q     What kinds of questions would you ask him?

25            A     Just what maps were available, what he could



1 give me, how to use the technology effectively, getting  
2 permissions for -- to use his maps. He gave me his  
3 administrative access.

4 Q And then you mentioned technology. What did  
5 the technology enable you to do with the maps?

6 A To zoom in, to oftentimes put in an address to  
7 determine what -- an area where a -- a particular voter  
8 may be located or to zoom in on a boundary.

9 Q And were you able to use that technology when  
10 you were doing the manual comparisons of the maps, or  
11 were you -- only had your eyesight for those comparisons?

12 A The comparisons were frequently performed  
13 comparing spreadsheets and then validating on the maps.

14 Q Are you aware of Nathan Sigler's communications  
15 or correspondence with any of the entities that you were  
16 looking to get in touch with during redistricting in  
17 2021?

18 A Would you repeat the beginning of that  
19 statement?

20 Q Yeah. Were you aware of Nathan Sigler  
21 corresponding with any of the entities that you were  
22 reaching out to during the 2021 redistricting process,  
23 such as the Galveston County Commissioners Court or any  
24 other entity?

25 A I'm not certain what his correspondence was

1 with the County Commissioners. We -- I would loop him  
2 into emails with the other entities when I was forwarding  
3 shapefiles to him for printed -- to obtain printed maps.

4 Q Do you know Michael Shannon?

5 A Yes, I do.

6 Q And for how long have you known Michael  
7 Shannon?

8 A For as long as he's been the county engineer.

9 Q And do you work directly with Michael Shannon?

10 A Rarely.

11 Q Rarely?

12 A Yes.

13 Q Does Michael Shannon work with any members of  
14 your staff?

15 A No.

16 Q Do you know Stephen Holmes?

17 A Yes, I do.

18 Q How long have you known Stephen Holmes for?

19 A Since I took office January 1st, 2005.

20 Q And how would you characterize your working  
21 relationship with Stephen Holmes?

22 A I'd say it's a good working relationship.

23 Q How often do you communicate with Stephen  
24 Holmes on a general basis?

25 A Six times a year, perhaps.

1 Q Did you communicate with him more during the  
2 2021 redistricting process?

3 A I do not recall talking with him at all during  
4 the redistricting process.

5 Q Do you know Darrell Apffel?

6 A Yes, ma'am, I do.

7 Q How long have you known Darrell Apffel for?

8 A I'm not certain. I probably met him about ten  
9 years ago.

10 Q How would you characterize -- or let me ask you  
11 this: How often do you communicate with Darrell Apffel  
12 for your work?

13 A For my work? Probably same amount of time as I  
14 do Stephen Holmes or any of the commissioners. Maybe a  
15 half a dozen times a year.

16 Q Would you say that's consistent for all of the  
17 county -- or Galveston County commissioners, about six  
18 times a year?

19 A As far as communicating with them directly,  
20 talking to them, likely, yes.

21 Q So there isn't one commissioner that you speak  
22 to more than the others or -- you speak to them all  
23 generally about the same amount?

24 A Yes, Mr. Giusti, Commissioner Giusti and I  
25 probably have the closest relationship.

1 Q How long have you known Commissioner Giusti  
2 for?

3 A I'm not certain. He began -- when he began  
4 working for Constable Fullen was when I first met him.

5 Q When around was that? When did he begin  
6 working for Constable Fullen?

7 A I believe Constable Fullen was elected in 2006,  
8 so it would have been probably 2007 or '08.

9 Q What sorts of topics do you communicate with  
10 Commissioner Giusti about?

11 A Community events in his particular area. He is  
12 the commissioner in the Santa Fe and West Galveston  
13 Island, and so we'd frequently bump into each other when  
14 we were at different community events.

15 Q Do you speak about community events with the  
16 other commissioners as well?

17 A If they happen to be attending an event, yes.

18 Q So you mentioned you correspond with or meet  
19 with or directly interact with the other commissioners or  
20 all the commissioners each around six times a year. What  
21 do you typically -- can you describe those interactions a  
22 little bit?

23 A There isn't really much to describe. I might  
24 see them in commissioners court. If I have an item on  
25 the agenda, then I would go to their meetings and answer

1 any questions they may have or present information to  
2 them so that they could make decisions on items that I  
3 would bring to them, such as contracts and business. Not  
4 typically budget. It was all typically in writing  
5 through the county judge's office.

6 Q So typically when you met with one commissioner  
7 or -- did you typically meet with them as a group, or did  
8 you meet with them one on one mostly?

9 A Typically I saw them in a group in a public  
10 setting like in commissioners court. It was only  
11 occasionally that I would see them outside of a  
12 professional setting.

13 Q Such as Commissioner Giusti at various social  
14 events and --

15 A Yes, ma'am.

16 Q Okay. And then -- so would you say that most  
17 of your interactions with them were in person versus over  
18 the phone or email or...

19 A I may have corresponded with them via email  
20 more than any other method of communication, but that was  
21 only for informational purposes, to share information  
22 with them.

23 Q What information did the -- or what kind of  
24 information would you share with the commissioners?

25 A Valuation information I received from the

1 Central Appraisal District. If there were legislative  
2 changes that affected decisions that they were going to  
3 make, I would try and just share whatever information I  
4 had on those items.

5 Q Did you typically expect a response when you  
6 shared this information with the commissioners?

7 A I came to never expect a response from county  
8 commissioners.

9 Q You mentioned that you would sometimes go to  
10 commissioners court to answer questions, speak about  
11 issues or topics. How -- did you attend the  
12 commissioners court meetings only when you were being  
13 asked to attend for various reasons or would you go  
14 sometimes on your own accord?

15 A I typically only attended when I had an item on  
16 the agenda.

17 Q And how would they -- how would you be invited  
18 to these meetings? Was it over email? Over the phone?  
19 Would they contact your staff? How did you know that you  
20 were requested at the meeting?

21 A I would receive an agenda and we would review  
22 it, and when I saw my item on the agenda, I would attend  
23 the meetings, if it was possible or necessary.

24 Q And what sort of items did you have -- did you  
25 see on the agenda that were for you? What sorts of

1 topics would you --

2 A Penalty and interest cases for property tax.

3 Budget amendments at times.

4 Q Were you ever -- did you ever see an item on  
5 the agenda related to you about redistricting?

6 A I do not recall ever seeing an agenda item  
7 specific to me or my office on the agenda.

8 Q So never under the -- you didn't receive an  
9 agenda that kind of triggered for you, I should go to  
10 this meeting? Or let me rephrase.

11 You didn't see any redistricting item on the  
12 agenda that explicitly asked for you to attend the  
13 commissioners court meeting?

14 A Not that I recall.

15 Q So you mentioned that you would share all this  
16 helpful information with the commissioners, but you  
17 eventually stopped expecting a response. Did you stop  
18 expecting a response for all of your attempts to reach  
19 out to the commissioners or just some types of attempts  
20 to reach out to commissioners?

21 A I'm not sure I understand the question. When  
22 you're sharing information with people, if they had  
23 questions, then they would follow up. But I rarely  
24 received questions. I think that my emails were pretty  
25 full and informative.

1 Q Do you know Dwight Sullivan?

2 A Yes, I do.

3 Q How long have you known Dwight Sullivan for?

4 A I'm not certain when he began working for the  
5 county treasurer, but when he worked in the county  
6 treasurer's office as the chief deputy is when I first  
7 met him.

8 Q Do you ever work with him?

9 A Directly, no. We work with his office, his  
10 elections division, frequently during elections.

11 Q And what do you work with his office on related  
12 to those elections?

13 A For directly Dwight on the election board, he  
14 sets up those meetings to coordinate the elected  
15 officials and party chairs to attend those in planning  
16 for elections. And then with his staff, as part of those  
17 meetings, we establish schedules of when voter lists are  
18 needed for the different elections, and then my staff --  
19 I inform my staff of that information, and then it pretty  
20 much turns over to them. I'm only involved if a -- if an  
21 issue arises, if they need intervention or assistance.

22 Q During the 2021 redistricting process, how  
23 often would your office work with Dwight Sullivan's  
24 office? On a daily basis? Weekly basis?

25 A I did -- I rarely worked with Dwight Sullivan's



1 office directly. I can't tell -- I can't tell you how  
2 much my staff worked with them.

3 Q Do you know Mark Henry, County Judge Mark  
4 Henry?

5 A Yes, I do.

6 Q How long have you known Mark Henry for?

7 A I first met him in 2008 at a GOP dinner, I  
8 believe.

9 Q Do you interact with him about the same number  
10 of times a year that you interact with the county  
11 commissioners, about six times a year?

12 A I would say that would be a fairly accurate  
13 statement, yes.

14 Q And how would you characterize your working  
15 relationship with Mark Henry?

16 A Improved.

17 Q Can you tell me more about that?

18 A We didn't always like each other very much, and  
19 we've been both working to improve our relationship. And  
20 I'd say things have definitely improved.

21 Q And then do you know Tyler Drummond?

22 A Yes, I do.

23 Q And how long have you known Tyler Drummond for?

24 A Since he first began working for Mark Henry.

25 Q And do you ever work directly with Tyler

1 Drummond?

2 A I don't work directly with him. We will talk  
3 occasionally.

4 Q How often will you speak with him?

5 A I'm not sure specifically. Maybe once a month,  
6 depending on what's going on. During redistricting, it  
7 may have been more frequent. During budget, it may be  
8 more frequent. It just depends. We'll sometimes go  
9 weeks and weeks without talking to each other at all.

10 Q What sort of things would you talk to Tyler  
11 Drummond about?

12 A Planning, what the schedules are, what it looks  
13 like commissioners may be doing to determine what they  
14 might need from me at any given time.

15 Q Typically, were you initiating this  
16 correspondence with Tyler Drummond or would he reach out  
17 to you, or was it 50/50?

18 A I'd say it was probably 50/50.

19 Q And he -- was he generally responsive to your  
20 requests for information or correspondence?

21 A Yes. Yes. He was definitely a key point of  
22 contact to understand what was underway at the  
23 commissioners court.

24 Q Would you -- was Tyler Drummond usually your  
25 first point of contact for reaching out to the

1 | commissioners court?

2 | A Frequently, yes.

3 | Q And how did you typically communicate with  
4 | Tyler Drummond? Was it over the phone? Over email? In  
5 | person?

6 | A It was a combination of all. Probably 30  
7 | percent each type, whether it was email, telephone calls,  
8 | sometimes text messages.

9 | Q And when you met in person or spoke over the  
10 | phone, how long were your interactions with Tyler  
11 | Drummond, on average?

12 | A I would have no idea. Anywhere from 30 seconds  
13 | to 5 or 10 minutes.

14 | Q So you mentioned that he could be a good point  
15 | of contact for the commissioners court; is that right?

16 | A Yes.

17 | Q What sort of information would you request of  
18 | Tyler Drummond about the commissioners court?

19 | A Tyler was very helpful in communicating to me  
20 | what it looked like the timeline would be for the  
21 | commissioners to redraw their boundaries so that I could  
22 | make schedules, so I could schedule workers in my office.

23 | Q Do you recall what -- when he provided this  
24 | timeline to you?

25 | A Not specifically.

1 Q And what was included in that timeline that he  
2 provided to you?

3 A Perhaps the expected dates when commissioners  
4 may be making decisions or voting so that I would know  
5 that shortly thereafter I'd be receiving information.

6 Q Do you recall if he gave you an exact date  
7 during the 2021 redistricting process?

8 A I believe he let me -- he kept me informed  
9 fairly well of meeting dates, of adoption dates, so that  
10 we could plan. I can't tell you specifically when that  
11 was or what those dates were.

12 Q Do you recall what types of meetings he would  
13 provide updates on? Were these meetings with the  
14 commissioners? Were these meetings with the public? Can  
15 you just describe the meetings that he would apprise you  
16 of?

17 A Commissioners court meetings that would be  
18 agendaed. So it would be posted meetings.

19 Q And would these meetings be open to the public?

20 A Every commissioners court meeting is open to  
21 the public.

22 Q Do you recall how many commissioners court  
23 meetings there were related to the adoption of the maps  
24 in 2021?

25 MS. OLALDE: Objection, vague.

1       You can answer.

2       A     I have no idea.

3           Q     (By Ms. Garrett) So for the commissioners court  
4 meetings, you mentioned you received every single agenda  
5 for the commissioners court meeting; is that right?

6           A     As far as I know, yes.

7           Q     And then you would review every agenda that  
8 came through to you or that you received?

9           A     No. My staff would review them and highlight  
10 those items that pertained to our office and provide them  
11 to me.

12          Q     So the commissioners court did not -- other  
13 than sending you an agenda and having your staff review,  
14 did the commissioners court reach out to you about those  
15 agenda items that related to you prior to the meeting? I  
16 know that was a long question.

17          A     The commissioners did not. Occasionally Diana  
18 Martinez might reach out to me if we had requested an  
19 item on the agenda and it didn't make it in time or if it  
20 needed to be rescheduled.

21          Q     So you mentioned that Tyler Drummond would also  
22 update you on the timeline for redistricting and these  
23 meetings. How far in advance of the commissioners court  
24 meetings related to redistricting did Tyler Drummond  
25 provide you an updated timeline or updated information

1 | about these meetings?

2 | A As I recall, he would tell me that they perhaps  
3 | were going to adopt a map at a certain meeting and a  
4 | certain month. So in October, he may inform me of the  
5 | topic that was going to be coming up in November, or in  
6 | November he may inform me of a meeting that was coming up  
7 | in December. So about a month in advance, probably.

8 | Q So you learned from Tyler Drummond about  
9 | redistricting being discussed at a commissioners court  
10 | meeting prior to your staff receiving the commissioners  
11 | court meeting agenda; is that accurate?

12 | A Would you repeat that, just to make sure I  
13 | understand exactly?

14 | Q Yes. When your staff received the  
15 | commissioners court meeting agenda for November, had  
16 | Tyler Drummond already notified you that redistricting  
17 | would be discussed at that meeting?

18 | A He very likely provided a date in November that  
19 | he expected to be placed on the agenda, yes.

20 | Q And he provided that date sometime in October?

21 | A As I --

22 | MS. OLALDE: Object--

23 | THE WITNESS: I'm sorry.

24 | MS. OLALDE: Objection, asked and answered,  
25 | calls for speculation.

1       You can answer.

2       Q       (By Ms. Garrett) You can answer.

3       A       As far as I know, it was about -- he was fairly  
4       accurate in what he would inform me on those dates.

5       Q       And he told you about that meeting over the  
6       phone or in person? How did he inform you of that  
7       meeting?

8       A       I seem to recall most of that information being  
9       provided in email.

10           MS. GARRETT: I want to turn to an exhibit, now  
11       that we're all set up with Exhibit Share. Let me make  
12       sure I've got the right one here. Could we mark Tab 13  
13       as an exhibit?

14           THE REPORTER: I'm sorry, just for  
15       clarification, are we marking it as Exhibit 13?

16           MS. GARRETT: Oh, no. We'll mark it as  
17       Exhibit 2. We'll mark Tab 13 as Exhibit 2.

18       MR. MUNK: Exhibit 2 has been introduced.

19       MS. GARRETT: Thank you.

20       Q       (By Ms. Garrett) Ms. Johnson, can you let me  
21       know when you've reviewed the exhibit?

22       A       Yes, ma'am. (Reviewing document.) I sent this  
23       email and this very long set of attachments --

24       Q       Yeah.

25       A       -- with questions, yes.

1 Q So you just said you sent this email. What day  
2 did you send this email?

3 A According to the date on this, January 14th,  
4 2021.

5 Q I want to start just with the body of the email  
6 itself. You start the email with "With redistricting  
7 around the corner." What did you mean when you said  
8 redistricting was around the corner?

9 A Exactly that, that it would not be long before  
10 they were going to be faced with making decisions about  
11 their boundaries.

12 Q And when did you anticipate that process would  
13 start for the recipients in this email?

14 A Shortly after the census data was received.

15 Q I want to look at the third paragraph in the  
16 body of this email. You wrote, "Therefore, I reached out  
17 to all of the officials, including Judge Henry, not for  
18 the purpose of having any impact on your decisions,  
19 except for JP and constable, but to be included from the  
20 standpoint of providing input on whether certain proposed  
21 plans would be better planned differently."

22 Did I read that correctly?

23 A Yes, ma'am.

24 Q What did you mean when you wrote that  
25 paragraph?



1       A     Precisely what it says. I wasn't trying to  
2     influence the decisions that they were going to make in  
3     the future except for their impact on the ease or  
4     difficulty of us making the changes to our various voting  
5     precincts and the entitlements. And when I refer to  
6     "entitlements," I'm talking about how each voter -- who  
7     they can vote for as far as positions and which -- let's  
8     say which -- which JP or constable, which school  
9     district, single member district, what city and so forth.

10       Q     Can you say a bit more on how a proposed plan  
11     could be better planned differently?

12               MS. OLALDE: Objection, asked and answered.

13               You can answer.

14       A     My only concern was that they would implement  
15     plans that were not so complicated that they would be  
16     difficult to implement, and you can -- as you can see  
17     from the next paragraph.

18       Q     (By Ms. Garrett) So the next paragraph reads,  
19     "We currently have residential properties split between  
20     two precincts. You can stand on any given corner in  
21     Galveston and add multiple same as well as multiple  
22     different precincts for the city, ISD and county." Did I  
23     read that correctly?

24       A     Yes, ma'am.

25       Q     Would you say that this paragraph encompasses

1 possibly your main concern with having a difficult map to  
2 implement once the map is selected?

3 A It wasn't the map. It was more the boundaries  
4 that they were selecting.

5 Q You mentioned -- back to that third paragraph  
6 about providing input. What sort of input could your  
7 office provide to the recipients of this email and other  
8 entities going through redistricting?

9 A With regard to the county commissioners in this  
10 paragraph, it would be much simpler if commissioner  
11 Precinct 2 and JP Precinct 2 and constable were the same,  
12 and they are not necessarily the same.

13 Q So attached to this email -- actually, before I  
14 get to that, are these three boundaries typically the  
15 same?

16 A Not necessarily the same. If you're talking  
17 about -- JP and constable are the same, but the JP and  
18 constable numbers may or may not correspond to the county  
19 commissioner numbers.

20 Q But it's easiest for your office and your  
21 implementation of the maps if the commissioner precinct  
22 lines are the same as the JP and constable lines?

23 A Absolutely. And it's easier for the voters as  
24 well. If a voter called and was in County Commissioner  
25 Precinct 2, they could be in JP or Constable Precinct 1,

1 2, 3 or 4, and that's very confusing for voters. So from  
2 the standpoint of ease for the voters as well. And then  
3 when they were different, I'd have to make a decision on  
4 which entitlements we are putting on the voter  
5 registration certificate, because I had to communicate  
6 that information to the voters.

7 Q Would this cause confusion for voters when  
8 the -- the commissioner precinct lines were different  
9 than the JP and constable lines?

10 MS. OLALDE: Objection, asked and answered.

11 A Yes, I believe it would cause confusion.

12 Q (By Ms. Garrett) Do you know if counties often  
13 had different commissioner lines -- or if counties in  
14 Texas had JP and constable lines that were different than  
15 commissioner precinct lines? Do you know how common that  
16 was --

17 MS. OLALDE: Objection --

18 Q (By Ms. Garrett) -- or is?

19 MS. OLALDE: -- calls for speculation.

20 Q (By Ms. Garrett) To your knowledge.

21 A I have no knowledge of that at all.

22 Q And then you mentioned entitlements on voter  
23 registration certificates. Can you elaborate on what you  
24 mean by "entitlements" on those certificates?

25 MS. OLALDE: Objection. She's already answered

1 that.

2 You can answer again.

3 A So I'm a registered voter in Friendswood,  
4 Texas, and I have a certain school district entitlement,  
5 which it's not a single member district, so it's FISD.  
6 So that code is on my voters certificate. The drainage  
7 district code is on my certificate. The county  
8 commissioner precinct, the voting precinct number is on  
9 that certificate.

10 So any -- the city precinct is on that  
11 certificate. So anybody that I'm entitled to cast any  
12 position or race, I'm entitled to cast a vote for, should  
13 be or we try and include all of those on the voter's  
14 certificate. There typically oftentimes are not enough  
15 boxes on those certificates for us to include every  
16 single position or jurisdiction that somebody can vote  
17 for.

18 Q (By Ms. Garrett) Turning to the last paragraph  
19 of this email that you wrote on January 14th, 2021, in  
20 the middle of that last paragraph you wrote, "I hope that  
21 you find this letter was both thoughtful and efficient  
22 and that working together is far better than being at  
23 odds and possibly creating difficulties that can be  
24 avoided."

25 My first question to you is, would you say that

1 being thoughtful and efficient was a goal of yours for  
2 the redistricting cycle?

3 A Absolutely, yes, ma'am.

4 Q And then what sorts of difficulties were you  
5 hoping to avoid by communicating early with these  
6 individuals and reaching out early?

7 A It was my preference that county commissioners  
8 adopted their voting precincts early on so that then that  
9 information could be provided to the other entities and  
10 that they would, as much as they could, align their  
11 various single member districts with those boundaries.  
12 It was a simpler plan to implement.

13 Q So is it the case that the earlier a map is  
14 adopted, the better, for not only your office but  
15 numerous entities?

16 MS. OLALDE: Objection, calls for speculation  
17 and compound.

18 You can answer to the extent you understand the  
19 question.

20 A If I understand your question correctly, it was  
21 preferable that the county commissioner voting precincts  
22 be identified early on so that other jurisdictions would  
23 hopefully follow along with those. As I stated earlier,  
24 we just recently changed three of our jurisdictions  
25 single member districts. So this has been spaced out

1 over quite some time.

2 Q (By Ms. Garrett) Looking to the attachment to  
3 this email that should be on Page 2 of your exhibit, what  
4 is this document?

5 A This is the letter that I sent to all of the  
6 jurisdictions, as I recall, informing them of what was  
7 upcoming. I really thought I'd sent this in 2019, but  
8 apparently I sent it December 22nd, 2020.

9 Q And then the third paragraph of this letter,  
10 you mention, "To my knowledge, there has never been any  
11 attempt to coordinate boundaries to align with any  
12 standard such as county commissioner precinct lines or  
13 even primary roadways or natural boundaries. We have  
14 many instances of properties being split between two or  
15 more districts. This makes it extraordinarily difficult  
16 for us to accurately implement district changes."

17 Did I read that correctly?

18 A Yes, ma'am.

19 Q And what was your goal in including this  
20 paragraph in this letter to the recipients?

21 A Well, as voter registrar, my terminology is  
22 somewhat different from others, but when I view a county  
23 commissioner precinct line, that is an election -- a  
24 voting precinct, for example, Precinct 102, 304, 485 or  
25 whatever. And so my purpose in -- in including this was

1 to try and encourage everybody to be consistent and not  
2 split some of the properties. We have some properties  
3 that are split right down the middle of the property, and  
4 it creates a difficult situation for us to determine  
5 which precinct or entitlement we should be giving a  
6 specific voter if it -- if there's a split.

7 Q Did you -- so this email was sent to the  
8 Galveston County Commissioners Court; is that right?

9 A It was sent to, as I recall --

10 MS. OLALDE: Hold on. I just --

11 A -- as I state --

12 MS. OLALDE: I just want to make sure I'm  
13 understanding your question. The email, or are you  
14 talking about the attachment?

15 MS. GARRETT: The email.

16 Q (By Ms. Garrett) So looking at the exhibit, the  
17 email that was sent -- so the names in the "to" line on  
18 the first page of the exhibit.

19 A Yes, this particular email with that  
20 copy-and-paste that I had sent to the other jurisdictions  
21 was sent to county commissioners and their chiefs of  
22 staff and a couple of people that work in my office or  
23 did work in my office at the time.

24 Q And then did you receive -- or what responses  
25 did you receive to this email?

1       A     I don't recall receiving any responses to this  
2     email.

3       Q     At this time, did you expect or hope to receive  
4     a response?

5       A     It wasn't necessary. I was sharing  
6     information. If they had additional questions, I  
7     expected them to reach out to me.

8       Q     When -- when you shared information and the  
9     recipients had questions, how could they best contact you  
10    to get those questions answered?

11       MS. OLALDE: Objection, vague.

12       A     They could call, they could email, they could  
13     stop by my office, so there was a variety of ways that  
14     they could reach out to me.

15            MS. GARRETT: I'd like to mark Tab 14 as an  
16     exhibit. This would be Exhibit 3.

17       MR. MUNK: Exhibit 3 has been introduced.

18       Q     (By Ms. Garrett) Ms. Johnson, can you let me  
19     know when you've had a chance to review the exhibit?

20       A     (Reviewing document.) I've reviewed the email.

21       Q     Do you recognize this email?

22       A     Yes, I do.

23       Q     Can you describe what this email is? What is  
24     this email?

25       A     This is an exchange of information. A reporter



1 with the Galveston Daily News was seeking copies of maps  
2 or any information that I might have on who he could  
3 obtain them from, and so I looped in people that might  
4 have that information.

5 Q Did you -- did you anticipate receiving  
6 requests like this in 2021 around the time of  
7 redistricting?

8 MS. OLALDE: Objection, calls for speculation.

9 To the extent you know, you can answer.

10 A People ask me for all sorts of information.  
11 Most of it is not something that we even have anything to  
12 do with. It's just the most familiar with their tax  
13 assessor-collector because I've touched them so often.

14 Q (By Ms. Garrett) So your office fielded quite a  
15 few questions, it sounds like?

16 A On every topic. I'm sorry.

17 MS. OLALDE: Just give me a chance to object.

18 Q (By Ms. Garrett) You mentioned in your response  
19 to John Wayne Ferguson on April 8th, 2021, you say, "We  
20 just cleaned out all of the 2000 maps in preparation for  
21 2020 redistricting." Did I read that correctly?

22 A Yes, ma'am.

23 Q And why did you clean out the maps at this  
24 time?

25 A We no longer had need for the 2000 maps, to the

1 | decisions that were made then. We compare the 10-year  
2 | maps for each effort that we do with regard to  
3 | redistricting. So we looked at the 2000 maps in 2010,  
4 | the 2010 maps in 2020. So there was no longer a need for  
5 | the older maps.

6 | Q And what format were these 2000 maps in? Were  
7 | they electronic? On paper?

8 | A As I recall, they were predominantly paper.

9 | Q And it looks like you included Nathan Sigler,  
10 | Michael Shannon on this email; is that right?

11 | A Yes, ma'am.

12 | Q Why did you include them on this email?

13 | A Because they were the most likely individuals  
14 | to have the information that Mr. Ferguson was seeking.

15 | Q Is it typically your practice to include  
16 | individuals with more information or additional  
17 | information on emails to help respond to requests for  
18 | your office?

19 | A It is very common for me to include the proper  
20 | people that perhaps -- when Mr. Ferguson was asking for  
21 | information and I -- I responded by sharing that  
22 | information with him. This is very typical.

23 | Q We should have time for this line of  
24 | questioning before lunch. As part of your work for  
25 | Galveston County -- actually, let me ask you this: How

1 familiar are you with census data?

2 A In 2000, I was more aware of census data than I  
3 have been the most recent census data. I've just not had  
4 time to review the 2020 census data hardly at all.

5 Q When you review census data, what sorts of  
6 things do you look at when reviewing that data? Just  
7 generally, not any particular time frame.

8 A Typically total populations. I would want to  
9 know, for instance, how many additional people we have in  
10 Galveston County. That sometimes triggers legislation  
11 affecting us, and how those totals have changed from --  
12 from one census to another.

13 Q Do you know how the census data is used for  
14 redistricting at the county level?

15 A Not specifically.

16 Q Do you recall when the 2020 census data was  
17 released?

18 A As I recall, it would have been August or  
19 September. Could have been as late as October in 2021.  
20 Sometime late summer, early fall.

21 MS. GARRETT: Okay. I'd like to mark Tab 17 as  
22 exhibit -- it should be Exhibit 4.

23 MR. MUNK: Exhibit 4 has been introduced.

24 Q (By Ms. Garrett) Ms. Johnson, once you've had a  
25 chance to review, can you let me know if you recognize

1 | this document?

2 | A Yes, ma'am, I'll let you know. (Reviewing  
3 | document.) I'm familiar with this email.

4 | Q Does this email refresh your recollection about  
5 | when the census data -- or the 2020 census data was  
6 | released?

7 | A It appears it was around or about August 13th.

8 | Q I'd like to ask you, at the very top of this  
9 | email you write, "With census data now being released,  
10 | please run voter totals by district for each entity with  
11 | single member districts."

12 | First off, did I read that correctly?

13 | A Yes, ma'am.

14 | Q Okay. And then why did you take this step to  
15 | send this email and have this task be completed?

16 | A To provide more current voter totals, number of  
17 | voters in each of the precincts and districts as  
18 | appropriate, depending on the jurisdiction.

19 | Q And once -- let me ask you this: Who did you  
20 | ask to complete this task? Was it the recipients listed  
21 | in the "to" line of this email?

22 | A Yes. So Ms. Saludis was the senior voter  
23 | investigation specialist and Angela Bleyle was the  
24 | second -- the voter registration specialist. Ms. Moreno  
25 | was the chief deputy that they each reported to directly.

1 Q And once these voter totals were run, what  
2 would you do with that information?

3 A I would typically take multiple spreadsheets  
4 and combine them into totals as you see on the second  
5 page, so that others would not have to review multiple  
6 spreadsheets, but to consolidate the information in a  
7 concise manner so it'd be easy for people to understand.

8 Q Did the county commissioners request this  
9 information from your office?

10 A Not that I recall. Commissioner Clark was  
11 typically the only commissioner who was ever, for lack of  
12 a better term, down in the mud enough to want to see this  
13 information.

14 Q Did you receive a response from -- well, let me  
15 just confirm. Which information did you share with the  
16 county commissioners? The attachment to this email?

17 A I don't know that I shared this attachment. I  
18 used the attachment as an example of what I was going to  
19 do with the data I was asking my team to produce for me.

20 Q Okay. Do you recall, once you shared the voter  
21 totals with the county commissioners, what response they  
22 gave, if any?

23 A I don't recall any responses from any of them  
24 specifically. I -- I don't even know exactly when I  
25 provided this to them for a second or third time even.

1 Q But if somebody were to respond, you would have  
2 expected it to have been Ken Clark; is that right?

3 MS. OLALDE: Objection, calls for speculation.

4 A Typically, he was the one that was most  
5 interested. And who he shared that with, I -- I do not  
6 know.

7 Q Let's take a look at Tab 15.

8 MS. GARRETT: If we could mark Tab 15 as an  
9 exhibit. So Tab 15, this will be Exhibit 5.

10 MR. MUNK: Exhibit 5 has been introduced.

11 A (Reviewing document.)

12 Q (By Ms. Garrett) So Ms. Johnson, I'm looking at  
13 the bottommost email, the earliest email. Do you see  
14 it's -- well, the "from," "to" -- "from," "sent" and "to"  
15 lines are on the bottom of Page 1 and the substance of  
16 the email is on Page 2. Have you had a chance to review?

17 A Yes.

18 Q So this earliest -- or the email at the very  
19 bottom you sent on May 20th, 2021. Who did you send this  
20 email to?

21 A I sent it to the census bureau.

22 Q And why did you reach out to the -- or let me  
23 ask you this: What was your purpose for reaching out to  
24 the census bureau?

25 A Very likely, Ms. Eldridge, Robin Eldridge in

1 the email, was the city secretary for the City of  
2 La Marque, and she was likely asking me when they could  
3 expect the data.

4 Q Did Robin Eldridge give you more information  
5 about why they were looking for this information?

6 A Not specifically, but she could have been  
7 responding to many of those emails that I had sent in  
8 trying to develop a plan for her city of when they would  
9 make their decisions. That would be logical.

10 Q So was it part of your job to share census data  
11 with Texas counties and municipalities?

12 A I did not share census data with Texas  
13 municipalities and the counties. I was sharing  
14 projection of when the census bureau may have census data  
15 available.

16 Q And what was the census bureau's response to  
17 your question?

18 A They responded when the data products would be  
19 available.

20 Q Sounds like they estimated it'd be available in  
21 August or September. Is that accurate?

22 A Yes, ma'am, that's what she wrote, or that's  
23 what they wrote, the public information office.

24 Q So looking at the very top email that you sent  
25 at 1:50 p.m. Central Time, it looks like, you forwarded

1 this response to Tyler Drummond; is that right?

2 A Yes, ma'am.

3 Q Why did you forward this information to Tyler  
4 Drummond?

5 A The same reason that I had included Robin, to  
6 let him know that it looks like we -- we have a date on  
7 when we may receive the information.

8 Q Did Tyler Drummond request this information  
9 from you?

10 A No.

11 Q Did you at the time believe that this  
12 information would be helpful to Tyler Drummond?

13 A I assumed that this would be helpful for him to  
14 inform the county commissioners when they could expect to  
15 begin receiving information, so they could begin making  
16 decisions.

17 Q You also asked Tyler Drummond in this email,  
18 "Do you have any timeline expectations yet?" Is that  
19 accurate?

20 A Yes, ma'am.

21 Q I know we discussed a little bit earlier today  
22 about how Mr. Drummond provided you information about the  
23 commissioners court meeting. Do you recall what his  
24 response was to your question here?

25 A I'm not certain that he provided a direct



1 response to me.

2 Q Did you forward this information to anyone else  
3 at -- with the Galveston County Commissioners Court?

4 A Not that I recall. This specific email or the  
5 date that census had responded?

6 Q The information that the census bureau provided  
7 about when additional data products will be available.

8 So in other words, when you learned that, from the census  
9 bureau on May 20th that additional data products will be  
10 available and that the August/September release is the  
11 first sub-state data available, did you forward this  
12 information to anyone at the Galveston County  
13 Commissioners Court, other than Tyler Drummond?

14 A Not that I recall.

15 MS. GARRETT: Let's pull up Tab 9, and this  
16 will be Exhibit 6.

17 MR. MUNK: Exhibit 6 has been introduced.

18 Q (By Ms. Garrett) And Ms. Johnson, let me know  
19 when you've had a chance to fully review the document.

20 A (Reviewing document.) I've reviewed the email.

21 Q Do you recognize this email --

22 A Yes, I do.

23 Q -- or this email thread?

24 A Yes, I do.

25 Q Can you describe what this email thread is

1 about?

2 A So going from the beginning, it appears as  
3 though Ms. Eldridge and I had a conversation, because I  
4 state what we discussed, and I provided information to  
5 her apparently as previously discussed, the breakout of  
6 the number of voters in each of the La Marque's single  
7 member districts, and looped her into the people who  
8 would be able to assist her with other information. She  
9 thanked me for that. And then she asked when the census  
10 information was out, and I responded that I'd sent an  
11 open records request to the census bureau, and that was  
12 the previous exhibit that we -- that she was copied on.

13 At that point it was speculation because I had  
14 not yet received a response. I think there were news  
15 articles about census. It was very much in the news at  
16 the time. And that's pretty much it.

17 Also in this email thread --

18 MS. OLALDE: Hold on. Just wait for a  
19 question.

20 THE WITNESS: Okay. I'm sorry.

21 MS. OLALDE: That's okay.

22 Q (By Ms. Garrett) So on the first page, I'm  
23 looking at the second email listed.

24 A Second email. Let me get to the second email.

25 Q On the first page of the exhibit.

1           A     The last -- the second email would be on the  
2     last page of the exhibit.

3           Q     I'm looking at the email that you wrote on 2:21  
4     p.m. on Thursday, May 20th, to Robin Eldridge, where it  
5     reads, "No problem. Tyler wrote to the attorney to  
6     obtain a timeline for the county. Once I have that, I  
7     will send to you." Do you see where I'm at?

8           A     Yes, I see that.

9           Q     So here in this email, Tyler, are you referring  
10    to Tyler Drummond?

11          A     Yes, ma'am.

12          Q     And then you wrote -- you say, "Tyler wrote to  
13    the attorney." To your knowledge, who was the attorney  
14    that Tyler was -- that Tyler wrote to to obtain a  
15    timeline for the county?

16          A     I believe that was Paul Ready.

17          Q     Did you receive the timeline from Tyler  
18    Drummond?

19          A     As I recall, I received a response from Paul  
20    Ready.

21          Q     And what was Paul Ready's response?

22          A     I --

23                MS. OLALDE: I'm going to ask you not to reveal  
24    communications with counsel.

25          Q     (By Ms. Garrett) Did you have any further

1 follow-up with Tyler Drummond about this information or  
2 this timeline?

3 A Not that I recall.

4 Q When you received -- without disclosing the  
5 substance of any of your communications with Paul Ready,  
6 did you -- or what did you do with the information that  
7 you received? Did you create a timeline or a schedule?  
8 Did this inform the schedules that you were looking to  
9 create?

10 A I don't recall off the top of my head what the  
11 response was.

12 MS. OLALDE: Hold on. Hold on.

13 THE WITNESS: Yes.

14 MS. OLALDE: I need to be able to make my  
15 objections.

16 THE WITNESS: Yes, ma'am.

17 MS. OLALDE: And for that question, I was going  
18 to object as overbroad and vague.

19 So let's make sure we're giving me the time to  
20 do that, please.

21 MS. GARRETT: I think now -- I know we're a  
22 couple minutes earlier than we discussed, but now may be  
23 a good time to take a lunch break, if that works for you.

24 MS. OLALDE: Works for us, yeah.

25 MS. GARRETT: Okay. Could we go off the

1 record?

2 THE VIDEOGRAPHER: Yes. Current time is 11:50  
3 a.m. and we're now off the record.

4 (Recess.)

5 THE VIDEOGRAPHER: Current time is 12:49.  
6 We're now back on the record.

7 Q (By Ms. Garrett) Ms. Johnson, you mentioned  
8 that in response to your request for a timeline from  
9 Mr. Drummond, that you received a response from Paul  
10 Ready. What did you understand Paul Ready's role to be?

11 A He is the county's lawyer, attorney liaison,  
12 essentially. So with regard to redistricting, I don't  
13 know.

14 Q You also mentioned that Ken Clark was probably  
15 the most commissioner involved with redistricting. Is  
16 that accurate?

17 A From what I observed, yes.

18 Q And what sorts of things did you observe to  
19 lead you to draw that conclusion?

20 A He was working with the county engineering  
21 department, with specifically Nathan, on redrawing,  
22 looking at the census data and actually drawing  
23 boundaries, as I understand it.

24 Q It was your understanding that Ken Clark was  
25 drawing what kind of boundaries?

1 A Voting --

2 THE WITNESS: I'm sorry.

3 MS. OLALDE: Objection as to speculation.

4 THE WITNESS: Yes.

5 MS. OLALDE: And you can answer if you know.

6 A I know that he was involved with the actual  
7 election precincts. So after commissioners had adopted  
8 their commissioner precincts, then he was working with  
9 county engineering to actually define the specific voting  
10 precincts, the individual voting precincts.

11 Q (By Ms. Garrett) So post-redistricting, did you  
12 work directly with Ken Clark, Commissioner Clark --

13 MS. OLALDE: Objection --

14 Q (By Ms. Garrett) -- or post-adoption of the  
15 map, did you work directly with Ken Clark?

16 A Not directly. He would have phone calls -- he  
17 would call occasionally, but that was -- it was -- was  
18 rather rare. I knew that he was working with county  
19 engineering more than anybody else.

20 Q Did Commissioner Clark reach out to you with  
21 any questions in 2021 about the redistricting process?

22 A Not about the process, no.

23 Q Did he reach out with questions about anything  
24 else related to redistricting?

25 A I don't recall specifically. The only thing he

1 knew that I would have would be the number of voters in  
2 each voting precinct.

3 Q You mentioned that you stopped expecting  
4 responses to the information you were providing to  
5 various entities throughout redistricting. At what point  
6 did you stop expecting a response?

7 MS. OLALDE: Objection, misstates prior  
8 testimony.

9 A Okay. I'm not -- I'm not sure I have an answer  
10 to that. Just sometime during the process, during that  
11 year.

12 Q (By Ms. Garrett) Did you have the opportunity  
13 to provide -- or let me ask it this way: Did you or your  
14 office have the opportunity to provide input on any  
15 proposed plan during the redistricting process?

16 MS. OLALDE: Objection, asked and answered.

17 A No.

18 Q (By Ms. Garrett) To your knowledge, was anyone  
19 other than...

20 Let me ask this: So in August 2021, after the  
21 census data was released, what steps did your office take  
22 to prepare for redistricting?

23 MS. OLALDE: Objection, misstates facts.

24 And you can answer to the extent you know.

25 THE WITNESS: So I can answer that question or

1 not?

2 MS. OLALDE: You can answer, to the extent you  
3 know.

4 THE WITNESS: If you would repeat the question,  
5 yes.

6 Q (By Ms. Garrett) So it's -- the census data was  
7 released in 2021, is that right, the 2020 census data?

8 A As I recall, yes.

9 Q Did your office -- did you or your office take  
10 any actions to prepare for redistricting after that data  
11 was released?

12 A Not specifically actions. We began  
13 aggressively trying to hire temporary staff.

14 Q And what did you hire those temporary staff to  
15 do at your office?

16 A Enter applications and scan documents. The  
17 day-to-day tasks that the full-time staff would not be  
18 able to perform because they were changing street ranges.

19 Q And changing street ranges, that process began  
20 when?

21 A Once we began to receive changes from the  
22 different jurisdictions. So once the Texas legislature  
23 had adopted their boundaries, then -- and we were able to  
24 access that information, that's when we specifically  
25 began making changes in the -- in the system.



1           Q     When did you receive the first change in  
2     boundaries to start making changes? Do you recall when  
3     that was?

4           MS. OLALDE: Objection, vague as to  
5     "boundaries."

6           Q     (By Ms. Garrett) Let me ask it this way: When  
7     did you receive -- so after the census data was released  
8     in August 2021, when did your office receive its first  
9     newly adopted map from any jurisdiction?

10          MS. OLALDE: Objection, vague, overbroad.  
11          You can answer to the extent you're able.

12          A     Once the legislature adopted their maps and we  
13     were notified by the Secretary of State. I don't  
14     remember precisely when that was without looking at the  
15     election advisory.

16          Q     (By Ms. Garrett) In August 2021, did you  
17     receive any updates from the Galveston County  
18     Commissioners Court about their actions to select a new  
19     commissioners precinct map?

20          MS. OLALDE: Objection, asked and answered.  
21          You can answer.

22          A     I don't think they'd made any decisions in  
23     August.

24          Q     (By Ms. Garrett) Did you receive any updates  
25     about a decision-making process or any updates on the

1 timeline?

2 MS. OLALDE: Objection, asked and answered.

3 Q (By Ms. Garrett) You can answer, if you --

4 A I don't know when I received a response. I  
5 don't remember when they first approved their maps, so I  
6 can't really answer that question.

7 Q So you don't recall when the Galveston County  
8 Commissioners Court adopted their commissioner precinct  
9 map?

10 A I don't remember specifically. As I recall,  
11 Tyler communicated around October that they would adopt  
12 something around -- sometime during November or December.

13 MS. GARRETT: I'd like to mark Tab 19 as an  
14 exhibit. I believe this would be Exhibit 7.

15 MR. MUNK: Exhibit 7 has been introduced.

16 Q (By Ms. Garrett) Ms. Johnson, when you've had a  
17 chance to review, could you let me know if you recognize  
18 this document.

19 A (Reviewing document.) Yes, I recognize this  
20 document.

21 Q What is this document?

22 A This is an email which I'm sharing with the  
23 county commissioners the current voter count by election  
24 precinct as of August 13th, 2021.

25 Q Do you recall which individuals were included

1 as recipients to this email?

2 A I don't recall off the top of my head who the  
3 commissioners' distribution list included.

4 Q Did you expect any sort of response to this  
5 email?

6 A No.

7 Q Why did you send this email?

8 A To share information.

9 Q Did you receive any responses to this email?

10 A I do not recall receiving a response, no.

11 Q Did you speak with anyone about the information  
12 in this email after you sent it?

13 A I don't recall.

14 Q Do you recall if you shared the information in  
15 this email with anyone else other than the commissioners  
16 listed in the "to" line of this email?

17 A I have -- I do not recall.

18 Q After you sent this email, did you -- did you  
19 have any further -- let me ask this.

20 MS. GARRETT: I'd like to mark Tab 22 as an  
21 exhibit. I believe this would be Exhibit 8.

22 MR. MUNK: Exhibit 8 has been introduced.

23 Q (By Ms. Garrett) Ms. Johnson, when you've had a  
24 chance to review, can you let me know if you recognize  
25 this document?

1       A     Okay. (Reviewing document.) I've reviewed the  
2     email.

3       Q     Do you recognize this document or this email  
4     thread?

5       A     Yes, I'm familiar with it.

6       Q     Looking at Page 3 of this exhibit, this is an  
7     email from you to Dwight Sullivan dated September 23rd,  
8     2021; is that right?

9       A     I was trying to track the -- see when I was  
10    added to this. I can't tell when -- oh, it's Thursday,  
11    September 20 -- are you talking about the Thursday,  
12    September 23rd at 2:00 o'clock p.m. email?

13      Q     Yes.

14      A     Yes, I sent that to Dwight Sullivan. Yes.

15      Q     And in the second paragraph there in that  
16    email, you mention, "We will begin redistricting efforts  
17    for Galveston County around October 9th." Did I read  
18    that correctly? This is the first sentence in the second  
19    paragraph.

20      A     Yes, you read that correctly.

21      Q     What did you mean by "redistricting efforts"?

22      A     As I've stated before, redistricting efforts  
23    for my office involves us identifying and then making  
24    changes to voter entitlements in the street range portion  
25    of our system.

1 Q What information did you need from Galveston  
2 County in order to start that process?

3 A We needed, number one, for them to adopt their  
4 precincts, their commissioner precincts, and then  
5 identify the election -- the voting precincts within  
6 those. That involved maps, shapefiles or access to the  
7 information in either the county's or the Central  
8 Appraisal District's GIS system.

9 Q At the time you wrote this email, did you  
10 anticipate that a commissioners' precinct map would be  
11 selected by October 9th, 2021?

12 A Based on this email string, I would have  
13 assumed -- I can only assume that we -- that I was of the  
14 impression that the county commissioners would adopt  
15 their precincts around October 9th or before October 9th.

16 Q Do you recall why you had that impression at  
17 the time?

18 A Not without looking at other documents. There  
19 could have been agenda items. I -- I can't answer that  
20 specifically.

21 Q What kinds of agenda items might be  
22 enlightening for refreshing your recollection about that?

23 A I -- if there were posted agendas, if there  
24 were news articles, if there would be something that  
25 would have caused me to believe that they would begin

1     acting in October.

2           Q     If the commissioners court had adopted a  
3     precinct map by October 9th, would this have made work at  
4     your office easier in any way?

5           MS. OLALDE:  Objection, overbroad and vague as  
6     to "precinct map."

7           A     If you're asking me if they adopted their  
8     county commissioner precincts, we still could not have  
9     begun our work.  The changes that we implemented from  
10    their maps required the adoption and establishment of  
11    actual voting precincts.  And that -- without that  
12    occurring, we had nothing to do.  There was nothing for  
13    us to do.

14          Q     (By Ms. Garrett) Could the process to draw the  
15    voting precincts begin before the commissioners precinct  
16    map was adopted?

17          MS. OLALDE:  Objection, calls for speculation,  
18    also asked and answered.  She's already testified that  
19    she doesn't have anything to do with drawing precincts.

20          A     I had nothing to do with that, so I wouldn't  
21    know.

22          Q     (By Ms. Garrett) So you do not know whether  
23    voting precinct lines could've been drawn sooner had the  
24    commissioners court accepted -- or had the commissioners  
25    court adopted a commissioner precinct map in October as

1       opposed to November?

2               MS. OLALDE: Objection, calls for speculation,  
3       asked and answered, also overbroad, also misstates prior  
4       testimony.

5               You can answer to the extent you know.

6       A       Answer is no.

7               MS. GARRETT: I'd like to mark Tab 23 as an  
8       exhibit. Looks like this will be Exhibit 9.

9               MR. MUNK: Exhibit 9 has been introduced.

10      Q       (By Ms. Garrett) Ms. Johnson, when you've had a  
11      chance to review, do you recognize this document?

12      A       (Reviewing document.) I do.

13      Q       And what is this document?

14      A       This is an email that I sent to Tyler Drummond  
15      providing, apparently per his request, the Galveston  
16      County voters -- number of voters by precinct.

17      Q       And do you remember why you sent this email?

18      A       No. The only -- the -- it says, "Per your  
19      request," so that tells me that Tyler requested the  
20      information.

21      Q       Do you recall whether he told you what he would  
22      do with this information?

23      A       No.

24      Q       Do you recall if he asked you for any other  
25      information related to this request?

1 A No, not that I recall.

2 Q Did you -- were you under the impression at the  
3 time you sent this email that this information would be  
4 shared with the commissioners court?

5 MS. OLALDE: Objection, calls for speculation.

6 A I truly don't know.

7 MS. GARRETT: I'm going to mark Tab 27 as an  
8 exhibit. This will be Exhibit 10.

9 MR. MUNK: Exhibit 10 has been introduced.

10 Q (By Ms. Garrett) Ms. Johnson, when you've had a  
11 chance to review, do you recognize this document?

12 A (Reviewing document.) I'm familiar with this  
13 document.

14 Q Looking to Page 3 of the exhibit, the earliest  
15 email listed, I have a few questions for you about this  
16 one. This is an email from you dated October 28th, 2021;  
17 is that right? I guess it starts on Page 2 and goes into  
18 Page 3.

19 A Yes.

20 Q So at this point, in the first part of the  
21 second paragraph, you wrote, "Galveston County will vote  
22 next week to change county election precinct boundaries."  
23 Is that accurate?

24 A That's what it states, yes.

25 Q And then later on in that email, you write --



1 and this is at the very top of Page 3, you write, "We  
2 will begin making changes upon receipt of county  
3 commissioner maps through January 11. On that date, we  
4 must provide the midterm primary voting list to the  
5 county clerk election division. We cannot make any  
6 changes to any boundaries until we send the final list to  
7 them on February 11th, as it will adversely impact their  
8 ballot styles."

9 Did I read that correctly?

10 A Yes, ma'am.

11 Q When you say "we cannot make any changes to the  
12 boundaries," what kind of changes are you talking about  
13 here?

14 A To those particular governmental entities'  
15 boundaries.

16 Q And why did you have to -- or where did the  
17 January 11th deadline come from?

18 A From Dwight Sullivan, the county clerk. They  
19 needed us to produce the primary voting list by that  
20 date, and we could not -- we had to finish the changes to  
21 the voting precincts up to that point, and then we could  
22 begin making changes to local jurisdictions.

23 Q To your knowledge, do you -- or do you know how  
24 this deadline was selected?

25 A The January deadline? The January 11th

1 deadline?

2 Q Yes. Do you know why -- or how the  
3 January 11th deadline was selected?

4 A As I recall, that was the date that Dwight  
5 Sullivan identified he had to have the last list to  
6 create his ballot styles for the primary elections.

7 Q Do you recall if this January 11th deadline was  
8 also a deadline back in 2011 during the prior  
9 redistricting cycle?

10 A I have no idea. I believe the primary was  
11 moved in 2011 to April.

12 Q And then what -- what occurred between  
13 January 11th and February 11th such that you couldn't  
14 make changes during that time?

15 MS. OLALDE: Objection, calls for speculation.  
16 You can answer to the extent you know.

17 A After January 11th, we could begin making  
18 changes to any of those other jurisdictions that had  
19 provided changes to us. We could not make any changes  
20 specifically to any other boundaries until February 12th  
21 because there was a law, and that was during the time  
22 that the county clerk would have been testing -- doing  
23 their LMA testing and various testings that they do. I'm  
24 not that familiar with what they have to do.

25 Q (By Ms. Garrett) I want to look at the first

1 email in this exhibit now. First off -- so this is on  
2 Page 1 of the exhibit. Do you recognize the names listed  
3 in the "to" line?

4 A Are you talking about the November 3rd email?

5 Q Yes.

6 A The one at 9:20?

7 Q Yes. This is the first email listed in the  
8 exhibit dated November 3rd, 2021, at 9:20 a.m. Central  
9 Time.

10 A And what was your question again about this  
11 email?

12 Q Do you recognize the names of the recipients of  
13 this email?

14 A I recognize Paul McLarty and Nathan Sigler and  
15 Kathleen Moreno, yes.

16 Q And who was Paul McLarty?

17 A He was a decision-maker, I think the  
18 superintendent or assistant superintendent at CCISD,  
19 Clear Creek Independent School District.

20 Q Do you recognize this as an email that you  
21 wrote?

22 A I don't know that I wrote this. It doesn't  
23 have a "from." I'd be speculating, but the language, "I  
24 have included Nathan Sigler who is our mapping guru,"  
25 sounds like something I may say, but I can't say that

1 with certainty.

2 Q I will represent to you that you are listed as  
3 a custodian for this document, though the "from" line is  
4 empty. To confirm, are you unsure whether you wrote this  
5 email?

6 MS. OLALDE: Objection, asked and answered.

7 You can answer.

8 A It doesn't specifically say it's from me. And  
9 if I was the custodian of this record, I would think that  
10 it would say who it's from.

11 MS. OLALDE: She's just asking if you recall.

12 A I don't specifically recall this email.

13 MS. GARRETT: I'd like to mark Tab 21 as an  
14 exhibit.

15 MR. MUNK: Exhibit 11 has been introduced.

16 Q (By Ms. Garrett) Ms. Johnson, do you recognize  
17 this document?

18 A I'm still reviewing it. (Reviewing document.)  
19 I'm familiar with this document.

20 Q And what is this document?

21 A This is a series of emails between members of  
22 the elections division of the county clerk's office and  
23 my voter registration department, my office, as well as  
24 Ms. Hart with the Secretary of State's office.

25 Q And how long have you known Ms. Hart,

1 Ms. Kristi Hart?

2 A I don't know that I've ever actually met  
3 Ms. Hart, but I believe that she's been with Secretary of  
4 State's office at least a year and a half, maybe two  
5 years.

6 Q So in the March 5th, 2021, email from you sent  
7 at 10:53 a.m., the actual text of which I'll quote is on  
8 Page 3 of the exhibit, you wrote, "I did want you to know  
9 that I contacted the law firm as I fully expected it to  
10 have already completed entering the data." Which law  
11 firm are you referring to here?

12 A I'm trying to find that email. March 5th, so  
13 the very first email is what you're asking about?

14 Q The earliest email, yes.

15 A The law firm would have been associated with  
16 the emergency services district whose boundaries the  
17 Secretary of State assisted us with creating -- well, the  
18 entitlements that they assisted with us creating.

19 Q And then at a later email on August 26th, 2021,  
20 which starts on Page 1 of this exhibit and goes into  
21 Page 2, you followed up with the Secretary of State on  
22 this email. What was the purpose of following up in  
23 August 2021?

24 A The Secretary of State had gone into the system  
25 behind the scenes, so to speak, and added this ESD to

1 TEAM for us, which was a 24-hour action versus us  
2 manually entering every single street. And so the  
3 purpose of this was me -- for me to determine whether the  
4 Secretary of State could help us with redistricting  
5 similarly.

6 Q In the last paragraph you wrote, "Depending on  
7 the schedule (per SB 13) we may have a very short time  
8 frame if the Legislature completes its work by  
9 mid-November." Did I read that correctly?

10 A Yes, ma'am.

11 Q Can you confirm which schedule you were  
12 referring to here?

13 A Without reading SB 13, I'm not 100 percent sure  
14 what the schedule was. As I recall, the -- this was  
15 where the legislature was defining when the primary would  
16 be, when voter certificates could be mailed out and so  
17 forth. That's the best that I can recall.

18 Q And then -- and I'll ask you this: Which work  
19 by the legislature were you referring to, if you could  
20 confirm --

21 A Their effort to redistrict the congressional  
22 districts, the Texas Senate, Texas House, and State Board  
23 of Education.

24 Q And what concerns did you have, if any, about  
25 this short time frame that you mentioned?

1 A Predominantly workload related. There's a --  
2 there's a lot of work to do, particularly if we were  
3 having to change voting entitlement street by street,  
4 block by block, odd and even. It's going to take us an  
5 extraordinarily amount -- extraordinary amount of time to  
6 both make those changes and audit those to make sure that  
7 we had done everything correctly.

8 Q How much time -- is it possible to estimate how  
9 much time that takes?

10 MS. OLALDE: Objection, vague.

11 A I would -- you'd need to be more specific with  
12 your question.

13 Q (By Ms. Garrett) I can move on.

14 So when the Galveston County Commissioners  
15 Court voted on a redistrict map, what were the next steps  
16 for your office?

17 MS. OLALDE: Can you be more specific? I'm  
18 sorry. I don't want to just object. I just wanted to  
19 make sure that the record is clear as to what map you're  
20 talking about.

21 MS. GARRETT: The commissioners precinct map.

22 MS. OLALDE: Thank you.

23 A There was really nothing for us to do at that  
24 point in time until we received additional information,  
25 such as what voting precincts were to be located within

1 each commissioner precinct. Once that list was provided,  
2 then we needed to know -- the way that this -- the  
3 election precincts are named, if -- if a precinct moved  
4 from Commissioner Apffel to Commissioner Giusti, it would  
5 go from a, say, 101 to a 201. And once we could see the  
6 list of voting precincts that were within the county  
7 commissioners boundaries, my next question or concern  
8 would be, Will these names be traditionally changed as  
9 they have in the past and renamed?

10 We don't look at which Commissioner Precinct it  
11 is. We look at the number. So Precinct 101 is County  
12 Commissioner Precinct 1, 202 is Commissioner Precinct 2  
13 and so forth. And so we would possibly, once we had that  
14 list, be able to begin making those name changes to the  
15 voting precincts.

16 THE REPORTER: Excuse me. Who was the last  
17 speaker that asked the question?

18 MS. OLALDE: It was Angie Olalde.

19 THE REPORTER: Thank you.

20 Q (By Ms. Garrett) When did you have to complete  
21 those name changes by?

22 A In time to generate the list for the county  
23 clerk, as well as to generate the list to mail out the  
24 voter certificates.

25 Q Was that the --



1 A This was in January.

2 Q The January 11th deadline?

3 A Yes, ma'am.

4 Q When you were making those name changes, did  
5 you have any contact with the commissioners court during  
6 that time period, the Galveston County Commissioners  
7 Court?

8 A I don't recall specifically. I -- I don't  
9 recall specifically. I would've wanted them to vote to  
10 change those names. I was very uncomfortable proceeding  
11 on the assumption that we would simply change the first  
12 number. I don't remember specifically contacting them.

13 Q What information would you have wanted from the  
14 commissioners court during that time?

15 A The specific names of the precincts, to ensure  
16 that 101 would become 201, that 105 would become 205, if  
17 those were moved from one county commissioner's precinct  
18 to another. Without that -- although that was a logical  
19 assumption and typical change, my preference was that  
20 they took an official action.

21 Q Did they ever provide that information to you  
22 or your office?

23 A I believe they finally took a vote on that in  
24 December.

25 Q So you used the phrase earlier that one of

1 your -- is it accurate to say that your office's role was  
2 to implement the maps selected by the Galveston County  
3 Commissioners Court, or I guess the map selected by the  
4 Galveston County Commissioner Court?

5 A We did not implement their map. We simply  
6 changed the voting precincts to correspond to the county  
7 commissioner numbers.

8 Q So when changing the names for the selected  
9 map, what changes -- your office needed to -- I guess,  
10 let me ask you this: How much time did it take to change  
11 the names for the adopted Galveston County commissioners  
12 precinct map?

13 MS. OLALDE: Objection, misstates testimony.

14 THE WITNESS: What was your objection? I'm  
15 sorry.

16 MS. OLALDE: You don't need to know my  
17 objection. Just answer the question.

18 THE WITNESS: Oh, yeah.

19 A So repeat your question then, please.

20 Q (By Ms. Garrett) You mentioned that your  
21 office's role -- let me back up.

22 You mentioned your office's role was to change  
23 the names --

24 A Yes.

25 Q -- of the precinct map; is that correct?

1 A Yes.

2 Q How much time did it take to implement the map  
3 that the Galveston County Commissioners Court adopted in  
4 2021, specifically the commissioner precinct map?

5 MS. OLALDE: Same objection.

6 A We did not specifically change the commissioner  
7 precincts. We changed the names of the voting precincts  
8 and in some instances split precincts according to how  
9 they were finally adopted. So we never looked at county  
10 commissioner precincts. We looked at individual voting  
11 precincts and we changed those numbers.

12 If it was a simple 101 to 201, it would take 15  
13 to 20 minutes, if the Secretary of State's redistricting  
14 module was working, which it frequently did not.

15 Q (By Ms. Garrett) How did the -- when did  
16 voters, after the -- these -- after these name changes  
17 occurred, when did voters receive updated voter  
18 registration certificates?

19 A We mailed them out in different batches. And  
20 so we would produce the list, and if we -- we started  
21 mailing them -- we weren't allowed to mail them until  
22 January. And so we would produce lists, and we worked  
23 with our vendor to release certain batches of them. So  
24 if we were certain that an entire precinct was simply  
25 renamed, we could mail those voter certificates.

1           In the instances where they were split to  
2       combines, or tweaking for census data lines to be exactly  
3       correct, those were set aside until that work could be  
4       completed. And we're still in some instances, due to  
5       redistricting of other entities, sending out voter  
6       certificates.

7           Q     Prior to the commissioners precinct map in  
8       Galveston County being adopted, did you see the two  
9       proposed maps?

10          A     I don't recall specifically. If I saw them,  
11       they were posted on a board outside the commissioners  
12       courtroom.

13          Q     But you don't recall whether you saw them?

14          A     I very likely saw them. I just don't  
15       specifically remember when I would've seen them. They  
16       would've been released to the public, and I could have  
17       seen them in the Galveston Daily News. I may have seen  
18       them on the county website. I'm not sure how else I  
19       would've seen them other than, like I said, posted  
20       outside the courtroom.

21          Q     Were you shown the maps prior to when they were  
22       shown to the public?

23          A     I do not believe so. I think I saw them at the  
24       same time.

25          Q     Would you have expected to have seen the maps

1 prior to them being shown to the public?

2 A Not necessarily. My opinion didn't -- and  
3 did -- was not going to influence their decisions.

4 Q And why do you say that? Why do you say that  
5 your opinion would not influence their decisions?

6 A I'm not sure it was as important to them what  
7 my opinion was as it was to the decisions that they were  
8 making for whatever reason, or the public's input would  
9 have had far more impact than my -- my own alone. I'm  
10 one voice.

11 Q Were you present the day that the commissioners  
12 court adopted the commissioners precinct map in 2021?

13 A No, I was not.

14 Q And why didn't you attend that meeting?

15 A We had just sent out over 220,000 tax  
16 statements, so we were kind of busy.

17 Q And you were not requested at the meeting, I  
18 take it?

19 A No.

20 MS. GARRETT: I'd like to mark Tab 29 as an  
21 exhibit.

22 MR. MUNK: Exhibit 12 has been introduced.

23 Q (By Ms. Garrett) Ms. Johnson, do you recognize  
24 this document?

25 MS. OLALDE: Just one second. It's blurry. Is

1       there -- can you read that?

2               THE WITNESS: Yes, it is a little blurry, but  
3       give me just a moment to look at this, please.

4               A       (Reviewing document.) I'm familiar with this  
5       email. I wrote this email.

6       Q       (By Ms. Garrett) What day did you send this  
7       email?

8       A       November 9th.

9       Q       I want to look at the last paragraph in this  
10      email. At the first part of that paragraph, you write,  
11      "Commissioners were supposed to meet today, Tuesday, to  
12      adopt county commissioner precincts and next week to  
13      adopt the actual county precincts." Did I read that  
14      correctly?

15      A       Yes, ma'am.

16      Q       Why, when you wrote this email -- or I guess  
17      prior to writing this email, why were you under the  
18      impression that the commissioners were going to meet on  
19      that Tuesday, November 9th?

20      A       Without looking at a calendar, I'm not certain,  
21      but they -- they had a regularly scheduled meeting every  
22      other week, would be my assumption. But I don't know  
23      specifically. Apparently somebody or some communication  
24      or some news report had predicted that they were going to  
25      meet on Tuesday.

1 Q Do you know why they didn't meet on Tuesday,  
2 November 9th?

3 A No, I don't.

4 Q In that same paragraph, you wrote, "Nathan will  
5 be providing a listing he created for each map being  
6 considered so we will easily know which are full precinct  
7 changes and where we will be making splits. Also he will  
8 be providing maps to us."

9 Did I read that correctly?

10 A Yes, ma'am.

11 Q Can you describe what was included in those  
12 listings that Nathan provided?

13 A Nathan would provide a list showing the county  
14 commissioner precinct, the county commissioner as a  
15 heading, in which voting precincts or election precincts  
16 were included in each one, and this would be providing  
17 the specific names that they were going to be given.

18 Q And what format did you receive these listings  
19 in?

20 A He typically attached these as PDF files to  
21 emails.

22 Q Do you remember reviewing these listings for  
23 each of the proposed maps?

24 MS. OLALDE: Objection, misstates prior  
25 testimony.

1           A     And I'm not a hundred percent certain that  
2     there were lists provided for each of the maps. It says  
3     that he created a listing for each map. I don't recall  
4     seeing those lists specifically, or when I received those  
5     from him.

6           Q     (By Ms. Garrett) So you have been the county  
7     tax assessor-collector for Galveston County for quite  
8     a -- quite a while; is that right?

9           A     Yes, ma'am.

10          Q     How many redistricts -- redistricting cycles  
11     have you experienced during your time as county tax  
12     assessor-collector?

13          A     This is my second.

14          Q     So you were the tax assessor-collector and  
15     voter registrar in 2011 --

16          A     Yes, ma'am.

17          Q     -- is that right?

18          A     Yes, ma'am.

19          Q     Were your responsibilities and your office's  
20     responsibilities during the 2011 redistricting cycle  
21     similar to the responsibilities that you and your office  
22     had in 2021?

23          A     Yes, they were very similar.

24          Q     Were they at all different?

25          A     The changes were different. The JP and



1 constable precincts were combined in 2011, I believe,  
2 from eight to four precincts. And so that was a big  
3 change for the county.

4 Q Does your office -- did you or your office make  
5 any changes in light of what you -- of what you may have  
6 learned during the 2011 redistricting process?

7 A Yes. Technology had changed somewhat. The  
8 Secretary of State had come up with a redistricting  
9 module which was supposed to simplify things, which it  
10 did to some extent. We had -- I had developed a  
11 relationship with the CAD in which any time I received  
12 shape or data files, I would send it to them, and they  
13 could produce a street-by-street parcel list of all the  
14 addresses within whichever data was in the shapefile, so  
15 whether it was county voting precincts or -- call it,  
16 or -- or City of Galveston precincts.

17 So we changed the process from strictly looking  
18 at maps and physically identifying specific streets on  
19 blown-up maps to relying more on the spreadsheets of  
20 parcels from the CAD as compared to the street range  
21 lists that we were pulling out of TEAM. That's still a  
22 manual process, but a little bit more exacting, just very  
23 tedious and time-consuming. Very, very time-consuming.

24 Q In 2011, how much contact did you have with the  
25 Galveston County Commissioners Court about the timeline

1 for redistricting?

2 A I don't necessarily recall any communication  
3 about a timeline. That's an awful long time ago.

4 Q Did you share information in 2011 similar to  
5 how you shared information in 2021 with the commissioners  
6 court in Galveston County?

7 A I don't recall. I would have given them  
8 what -- any information that they requested that -- I was  
9 probably more proactive this year in this redistricting  
10 than then because I had no idea what to expect in 2011.

11 Q So in 2021, with your experience, you felt you  
12 could be more proactive about providing aid and services  
13 to various entities across various localities and  
14 municipalities?

15 A I --

16 MS. OLALDE: Objection.

17 A Yes.

18 MS. OLALDE: Compound and overbroad, but go  
19 ahead and answer if you can.

20 A I'm not sure how to answer your full question.

21 THE REPORTER: I'm sorry, I didn't hear the  
22 objection.

23 MS. OLALDE: I said compound and overbroad.

24 A So there were lessons learned from 2011, and so  
25 I tried to take the pitfalls that we had encountered then

1 and avoid them in 2021. And I believe that we were  
2 successful in that. I used the technology much more, and  
3 that was very beneficial.

4 Q (By Ms. Garrett) Can you clarify which pitfalls  
5 you were looking to avoid in 2021 and successfully did  
6 avoid in 2021?

7 A We weren't strictly using visual maps,  
8 comparing a 2000 map to a 2011 map. We were also -- had  
9 added the -- the additional benefit of the GIS system at  
10 the Central Appraisal District to actually get parcel and  
11 street addresses of every single property that was within  
12 each precinct, whatever that precinct may be. So that  
13 definitely enabled us to be more precise than just simply  
14 visually identifying a change.

15 Q What information could the Commis -- could the  
16 Galveston County Commissioners Court have provided you or  
17 your office to make your job easier during the 2021  
18 redistricting cycle?

19 MS. OLALDE: Objection, asked and answered.

20 A I think that they could have provided names of  
21 election precincts sooner, but I'm not sure, other than  
22 providing the budget so that I could hire staff. It was  
23 the -- the -- our part of the redistricting effort was  
24 spread out over a long time period, and there's limited  
25 funds available from the Secretary of State for me to be

1 reimbursed for temporary staff, so it would put a  
2 budgetary strain on my office. But they did provide the  
3 funding that I requested.

4 MS. OLALDE: Ms. Garrett, we've been going a  
5 little over an hour. When you get to a good stopping  
6 point, may we take a break, please?

7 MS. GARRETT: Yes. Let me just finish this  
8 line of questioning and then we can take a break.

9 Q (By Ms. Garrett) Were you aware in 2011 that  
10 the Department of Justice had to provide preclearance to  
11 all redistrict maps prior to them being implemented?

12 A I was aware of that, yes.

13 Q Do you recall whether -- or let me ask you  
14 this: Did that preclearance requirement impact your work  
15 at all in 2011?

16 A It -- not specifically our work. It would've  
17 perhaps changed the timelines for commissioners. They  
18 would've had to submit the maps, adopted them, submitted  
19 them, and we would've waited until that preclearance was  
20 approved, until the maps were cleared before we began  
21 anything, any work.

22 Q So it sounds like it may have delayed your  
23 process, but -- because you couldn't start your work  
24 until they had been precleared?

25 A Correct.

1 MS. GARRETT: Okay. We can -- now may be a  
2 good time to take a brief break.

3 MS. OLALDE: Thank you.

4 MS. GARRETT: Can we go off the record?

5 THE VIDEOGRAPHER: It's currently 1:59 p.m.  
6 We're off the record.

7 (Recess.)

8 THE VIDEOGRAPHER: Current time is 2:11 p.m.,  
9 and we're back on the record.

10 Q (By Ms. Garrett) Ms. Johnson, did you speak  
11 with anyone during the break?

12 A Yes.

13 Q With whom did you speak?

14 A The individuals in this room.

15 Q Was it in relation to today's deposition?

16 A No.

17 Q Is it still the case that Zach, Angie and  
18 Jordan are the only individuals in the room with you  
19 today?

20 A Yes.

21 Q And is it still the case that you have no  
22 documents in front of you for --

23 A Yes.

24 Q -- today's deposition? I just have a few more  
25 lines of questioning, and then as discussed, two other

1 groups will be asking questions as well.

2 So my first question for you in this line: As  
3 a voter registrar, is one of your duties to maintain  
4 voter rolls?

5 A Yes.

6 Q Can you describe generally how you do that?

7 A We -- we receive and I have teams of people who  
8 enter voter applications. Sometimes that means we have  
9 to add street ranges. We have a lot of development going  
10 on in Galveston County. We receive information from a  
11 variety of sources, including the TEAM system has a  
12 section called the "task summary," which a variety of  
13 tasks are listed that must be performed daily by my staff  
14 in the voter registrar department. We receive  
15 information from the district clerk, from the probate  
16 judge, from Bureau of Vital Statistics, and the  
17 appropriate work is done. Sometimes voters themselves  
18 will notify us if there's a deceased member of their  
19 family. And so it -- a variety of things are going on  
20 constantly.

21 Q How often do you process new voter  
22 registrations?

23 A We process applications every single day that  
24 they are received. And some of those do come across the  
25 task summary as DPS applications.

1           Q     For what reasons may you remove a voter from  
2     the voter roll? I know you mentioned you might be  
3     notified somebody is deceased.

4           A     Like if --

5           Q     What other reasons?

6           A     If another county or state notifies us that  
7     somebody is registered in their county or their state, we  
8     will remove them. When we receive notifications from the  
9     district clerk when people move out of county on -- as a  
10    result of a jury summons, we will send notices of  
11    confirmation to those voters to confirm they've actually  
12    moved. Sometimes those lists include people saying that  
13    they -- they cannot serve because they are noncitizens.  
14    That is very occasional, but when that -- that does  
15    happen, and so we respond. So they would be removed --  
16    they wouldn't be removed until we send a notice of  
17    examination to determine if the information we received  
18    is correct.

19                So just about everything is checked  
20    immediately, unless it's an immediate family member who  
21    informs us a family member has died.

22           Q     So you mentioned a notice of examination.  
23    That's something that's sent by your office?

24           A     Yes, ma'am.

25           Q     And who is that sent to?

1           A     Anybody who we've received information that  
2     they've moved out of county or they're a noncitizen. I'd  
3     have to look at the actual form. I know the notice of  
4     examination is used for a potential noncitizen when we  
5     receive that information.

6           Q     But it would be sent to the voter who may be  
7     removed from the voter roll?

8           A     Yes, yes. And it could be that they are a  
9     felon, and so we try to confirm as much information as we  
10    can.

11          Q     How often do you -- let me ask you this: How  
12    many notices of examination would you estimate your  
13    office sends per day?

14          A     Per day? Less than one per day. I'd say there  
15    may be -- without looking at the statistics, I couldn't  
16    be certain, but I'd say no more than ten a month,  
17    perhaps.

18          Q     And then how often does your office typically  
19    remove voters from the voter roll?

20          A     Just when it's been confirmed or a voter fails  
21    to respond timely to a notice of examination. The only  
22    other time a voter is removed, unless they moved out of  
23    county or out of state, would be when the Secretary of  
24    State actually removes voters as a result of the mass  
25    purge being performed. I think that's every other year



1 after -- two years after you've been on the suspense list  
2 and have not voted in two federal election cycles.

3 Q So you just mentioned voters being put on a  
4 suspense list. Did I hear that right?

5 A Yes, ma'am.

6 Q What does it mean for a voter to be put on the  
7 suspense list?

8 A It simply means that we've received information  
9 that they have moved. Mail's typically been returned to  
10 our office, and so we take -- if the U.S. Postal Service  
11 provides forwarding information, we then generate a  
12 letter to confirm that they actually moved. And that  
13 places -- when you -- by virtue of mailing in that  
14 letter, that -- that places an S on their record, placing  
15 them in suspense status. It does not affect their right  
16 to vote. It simply means they need to confirm their  
17 address the next time they vote, or in response to the  
18 correspondence we send them.

19 Q So if a voter is placed in suspense, they have  
20 two avenues to remedy being placed on suspense?

21 A Yes, ma'am.

22 Q Okay. And so when a voter receives that  
23 notice -- notice of examination, how much time do they  
24 have to respond to that notification before being removed  
25 from the voter roll?

1           A     If it's in response to a change of address,  
2     they would stay in suspense up to four years before being  
3     removed by the secretary of State. If it was they were a  
4     noncitizen, for example, we give them at least 30,  
5     typically 40 days. They have 30 days to respond, but  
6     knowing that the U.S. Postal Service is a little bit  
7     delayed, we try and give the voter the benefit of the  
8     doubt and give them more time.

9           Q     So I want to talk to you about an advisory from  
10    the former Texas Secretary of State David Whitley back in  
11    January 2019, an advisory from Friday, January 25th. Do  
12    you remember when David Whitley sent out that advisory  
13    concerning the citizenship status of 95,000 registered  
14    Texas voters?

15          A     I believe you just said January 25th.

16          Q     Yeah. In January 2019, do you recall former  
17    Texas Secretary of State David Whitley sending out an  
18    advisory that questioned the citizenship status of  
19    roughly 95,000 registered Texas voters?

20          A     I don't specifically remember his advisory. I  
21    remember it being in the press and on the news and those  
22    names showing up on our task summary list.

23          Q     How soon did those names show up on your task  
24    summary list?

25          A     They showed up the Monday after that somewhat

1 was out -- it was out in the news on a Saturday night,  
2 and the lists were received that Monday morning.

3 Q How did you respond to seeing those names on  
4 that list, or how did your office respond to that?

5 A I had already met with my staff after seeing  
6 that news report. I contacted my staff and we arranged a  
7 meeting first thing Monday morning, and we sat down and  
8 brainstormed, not knowing if we were going to receive one  
9 name, a thousand names, or how many. We put together a  
10 strategy of what we would need to do, and everybody was  
11 assigned specific tasks. That included researching those  
12 voters, confirming they were actually on our list of  
13 registered voters, and determining if we had any  
14 documents at all to validate whether they were or were  
15 not U.S. citizens.

16 Q How many Galveston County residents were  
17 included on that list?

18 A There were nearly 900 names on that list.

19 Q Do you recall generally -- or did you notice  
20 any patterns or similarities amongst the residents that  
21 were identified in that list?

22 MS. OLALDE: Objection, vague.

23 A No, but I wasn't necessarily looking at that  
24 list. My staff was. The task was to review the  
25 information and obtain documents. I'm not sure any of us

1 were looking at names. We were looking at voter unique  
2 identifiers.

3 Q (By Ms. Garrett) And what sort of documents  
4 were you -- were your staff looking into?

5 A We were seeing if we had any voter  
6 applications, if we had ever sent them any letters.  
7 Every single letter we send a voter, with rare exception,  
8 is scanned and maintained and held for a certain time  
9 period. And so we -- we searched each voter and do it a  
10 variety of ways to determine if we had any documents  
11 associated with that voter. And all of that information  
12 was gathered and clipped together and set aside for a  
13 decision to be made whether it was appropriate to send a  
14 notice of examination or not.

15 Q Did you send any notices of examination?

16 A Yes, I believe in total, we sent out 100 or 150  
17 over a two-day period. We had determined we could send  
18 out and investigate approximately 100 a day, and we  
19 pulled back the second set of the instruction. There  
20 was -- we were told to stop this middle of the second day  
21 and we were able to retrieve about half of the letters  
22 that we had prepared on the second day, from being  
23 mailed.

24 Q And who told you to stop sending letters?

25 A I don't recall whether it was a temporary

1       restraining order or we received that instruction from  
2       the Secretary of State. I don't recall specifically  
3       without going back and looking at those documents.

4       Q     Did you contact the Secretary of State at all  
5       between receiving these names and sending out the  
6       letters, or notices of examination?

7       A     I don't recall that I specifically did. I  
8       could have instructed my staff to, to validate was there  
9       anything else we needed to be looking at, but I really  
10      don't recall specifically.

11      Q     And the notices of examination that you sent  
12      with -- are these just a standard form that you sent or  
13      were they -- or were they at all edited in light of the  
14      advisory that was provided by the Secretary of State?

15      A     They were -- they were system generated, so  
16      they were form letters.

17      Q     Did you reach out to the Department of Public  
18      Safety before sending out these letters?

19      A     I do not recall that we did.

20      Q     Would you have expected to speak to the  
21      Department of Public Safety regarding these notices of  
22      examination at any point in the process of sending them?

23      A     The Secretary of State had worked with DPS in  
24      order to generate the list, so it would've been our  
25      assumption they had communicated with one another.

1           Q     What was your reaction when you learned -- let  
2     me ask you this: What was your reaction when you were  
3     told to stop sending the letters?

4           A     My reaction was to immediately contact my staff  
5     and cease mailing those letters and retrieve any that had  
6     not been put in the mail already.

7           Q     Were you aware of other county elections  
8     officials sending letters in response to the Secretary of  
9     State's advisory?

10          A     Not at that time. The lawsuit involved, I  
11     believe, a total of 17 counties, so there were other  
12     county officials that were doing the same thing that we  
13     were doing, apparently doing the research that we could,  
14     and acting according to what the election code required  
15     us to do in response to the information received.

16          Q     Were you aware of any other county elections  
17     officials who did not send letters in response to the  
18     Secretary of State advisory?

19          A     Not necessarily. I guess the other 254 outside  
20     of the 17 that I really -- I -- no, I was -- I had no  
21     personal knowledge of any ones that were refusing to do  
22     it, at that time.

23          Q     Did you speak to anyone outside of your office  
24     prior to sending the notices of examination in response  
25     to the Secretary of State advisory in January of 2019?

1       A     I believe I would have contacted -- it would  
2     have been appropriate for me to possibly reach out to the  
3     county judge or the commissioners and let them know what  
4     we were doing or what was going on. I would have  
5     possibly contacted the county sheriff to determine if  
6     they could assist us in any way with any information to  
7     determine citizenship status of the individuals on the  
8     list. But I'm guessing, based on what would've been, in  
9     my opinion today, an appropriate response at the time.

10    To try and find answers to that, I certainly reached out  
11    to my U.S. congressman to find out if they could guide --  
12    give us any guidance on how to make this determination.

13    Q     So did you say that you may have reached out to  
14    the commissioners court in Galveston County, but you  
15    don't recall?

16    A     I don't recall specifically doing so. It would  
17    have been appropriate for me to notify others in the  
18    county that could be affected or receive phone calls,  
19    that this is -- this is what we're doing based on the  
20    information we have received. There was a lot going on  
21    then. Whether I did that immediately or not, I just  
22    don't remember.

23    Q     And when you say receiving phone calls, I -- do  
24    you mean phone calls from residents of Galveston County  
25    reaching out to their commissioners asking questions

1     about this?

2             A     The media predominantly.

3             Q     Were you aware at the time -- were you aware in  
4     January 2019 that the Florida Secretary of State had  
5     inaccurately flagged 180,000 voters as noncitizens?

6             A     I was not aware of that at the time that we  
7     received the information. It was something I found  
8     out -- or I heard about subsequently, but I still really  
9     have no personal knowledge of what happened in Florida.

10            Q     When did you hear about what happened in  
11     Florida?

12            A     I don't recall specifically. Likely during the  
13     next 30 to 45 days.

14            Q     I want to go back to any potential  
15     communications you may have had with the commissioners  
16     court at this time. You mentioned that you anticipated  
17     the commissioners court may have received phone calls  
18     from the media; is that right? Does your office provide  
19     any guidance of what the commissioners court should say  
20     to the media typically in cases like this or...

21            A     I would never presume to instruct another  
22     elected official on what they should say to the media. I  
23     would simply -- had I sent that communication timely,  
24     then it would've been to communicate so they were at  
25     least aware and had knowledge. No elected official or



1 department head in any organization wants a surprise call  
2 and not to be aware of something of that magnitude that's  
3 going on in their -- in their county or jurisdiction.

4 It's a courtesy.

5 Q Were you aware that civil rights groups sent a  
6 letter to the Secretary of State shortly after this  
7 advisory was sent expressing alarm over this advisory?

8 A I wasn't sure that they had contacted the  
9 Secretary of State. I know that some of those groups had  
10 contacted my office and I think were trying to file  
11 temporary restraining orders to stop the action from  
12 proceeding. There was an individual from one  
13 organization, but I don't remember what that organization  
14 was that actually called me.

15 Q Do you remember when she called you, this  
16 individual?

17 A It was a gentleman, and it would have been  
18 within 24 hours of having received that list to inquire  
19 what -- what we were doing or -- everybody wanted a copy  
20 of the list. And I didn't think it was in those  
21 individuals' best interest for that list to be provided.  
22 And so basically, when everybody called me, I instructed  
23 them to file an open records request, and I would work  
24 with the -- the attorneys, the county attorneys, to  
25 determine the appropriate response.

1 Q So in 2019, in your capacity as Galveston  
2 County tax assessor-collector, you were sued regarding  
3 this advisory and response, along with the Texas  
4 Secretary of State, Texas Attorney General, and the  
5 governor of Texas; is that right?

6 A I believe that there were also at least 16, if  
7 not 17, other counties that were named in that suit.

8 Q But you were included as a Defendant in that  
9 case?

10 A Yes, I was.

11 Q And do you recall the complaints in that case?

12 A Not specifically without going back and reading  
13 that suit, but I believe the gist of it was that we had  
14 violated the constitutional rights of the individuals  
15 that we had sent those letters to.

16 Q Do you recall in that case the Plaintiffs had  
17 asserted that the actions taken by the Defendants in that  
18 case had a discriminatory effect on Hispanic Americans?

19 A I seem to recall that that was part of the  
20 complaint, yes.

21 Q What was your reaction when you saw that listed  
22 in the complaint?

23 A I went back and looked at the list, and they  
24 were not all Hispanic surnames.

25 Q And what ultimately happened with that lawsuit?

1       A     The counties -- the Defendants agreed to send  
2     no more letters. That would have been the voter  
3     registrars and election administrators in the counties.  
4     So we stood down without being given permission by the  
5     court to proceed. And I believe that there was an  
6     agreement that was developed between the other parties.  
7     We were removed from the suit. And then at that point,  
8     the -- the other parties, the remaining Defendants and --  
9     worked out with the Plaintiffs an agreement on things  
10    that would change, such as the notice of examination  
11    letter was to be changed. And subsequently, it was  
12    changed later by the Secretary of State. I can't tell  
13    you specifically when.

14       Q     Did you discuss this lawsuit with anyone at the  
15    commissioners court?

16       A     I would have. If I did, it would have been in  
17    executive session to discuss whether legal counsel was  
18    needed.

19       Q     And in that case, would you have -- would your  
20    staff have flagged for you that that was on the agenda or  
21    would you have reached out to the commissioners court  
22    about that?

23       A     It would've shown up on an agenda and they  
24    likely would've notified me to appear in executive  
25    session. I would not have known they needed me in

1 executive session without being instructed that I needed  
2 to come -- to come in the room.

3 Q So you have been in your current role for about  
4 18 years now; is that right?

5 A Yes, ma'am. I'm in my 18th year right now.

6 Q Have you ever considered running for a  
7 commissioner's seat?

8 A No, ma'am.

9 Q Have you ever considered running for a  
10 different office?

11 A I've been asked, but I have not considered it,  
12 no.

13 Q Are you aware of any African American or Latino  
14 Republican county-wide elected officials?

15 A Would you repeat that again, please?

16 Q Are you aware of any African American or Latino  
17 Republican county-wide election officials?

18 A Yes, ma'am.

19 Q Who are they?

20 A Stephen Holmes is not county -- well,  
21 county-wide, right now we have Robin Armstrong. We have  
22 different JP or constables. And of course, Commissioner  
23 Holmes, but he's not county-wide. So the only -- I guess  
24 we don't have any county-wide African American or  
25 Hispanic -- well, we did have Michelle Slaughter. She

1 was a state district judge. And that's all to my  
2 knowledge.

3 I don't typically ask people whether they're  
4 Latino, Hispanic, or -- I -- I just really don't have  
5 personal knowledge of that, unless they volunteer the  
6 information.

7 Q You mentioned that you've been asked to run for  
8 other offices.

9 A Uh-huh.

10 Q Who's asked you to run for other offices?

11 A A variety of individuals. Many citizens.  
12 Also, our current County Commissioner Robin Armstrong has  
13 asked me to run for a congressional seat. Different --  
14 different people during different time periods have asked  
15 me to run for -- a lot of people have asked me to run for  
16 county judge, and I've been very happy to respond that  
17 I'm content where I'm at.

18 Q And why is it that you feel content where  
19 you're at?

20 A I believe I'm making a difference right now in  
21 the seat that I'm in and there's -- as long as -- as the  
22 work that I'm doing is making good changes and there's  
23 benefit and there's people that I can help, that this is  
24 really where I need to be.

25 Q And just a couple more questions for you,

1 Ms. Johnson, as I wrap up my questioning. Earlier today,  
2 it's my recollection that you testified that you have  
3 texted with Mr. Tyler Drummond; is that accurate?

4 A Yes, ma'am.

5 Q Did you use your personal cell phone when  
6 writing those text messages?

7 A Yes, ma'am.

8 Q Have you shared those messages with your  
9 attorney?

10 A Yes, ma'am.

11 Q Have you used your personal cell phone to text  
12 with others that we have discussed today?

13 A Different county commissioners, yes. The  
14 county judge occasionally, very rarely, but yes, I have.

15 Q Have you also shared those messages with your  
16 attorney?

17 A Yes, as they applied to this case. Yes, ma'am.

18 MS. GARRETT: Those are all of my questions for  
19 you today, Ms. Johnson. I am now going to hand the mic  
20 over to Alex Copper with the Petteway Plaintiffs, who  
21 will now have a chance to ask you some follow-up  
22 questions.

23 THE WITNESS: Thank you.

24 We cannot hear you.

25 MS. COPPER: How about now? Can you hear me

1 now, Ms. Johnson?

2 THE WITNESS: Yes. It's a little garbled.

3 MS. COPPER: Okay. Let me try changing this  
4 over -- (audio cutting out).

5 THE WITNESS: Can't hear you at all now.

6 MS. RICHARDSON: Hi. This is Valencia  
7 Richardson with the Petteway Plaintiffs. Can we go off  
8 the record while she fixes her sound so we're not burning  
9 up time?

10 MS. COPPER: Thank you, Valencia.

11 (Discussion off the record.)

12 THE VIDEOGRAPHER: Okay. Current time is 2:41.  
13 We're on the record.

14 E X A M I N A T I O N

15 BY MS. COPPER:

16 Q Hi, Ms. Johnson. My name is Alexandra Copper.  
17 I am legal counsel for the Campaign Legal Center, and I'm  
18 going to be asking you some questions today on behalf of  
19 the Petteway Plaintiffs in this case.

20 I wanted to start by actually going back to the  
21 very beginning of your deposition, a question that was  
22 asked of you when going through your basic background  
23 information, which was, when asked if you worked for  
24 Galveston County, you said that you worked for the voters  
25 of Galveston County. Do you remember saying that?

1 A Yes, ma'am.

2 Q Can you explain to me what the distinction is  
3 to you there?

4 A I don't work for county commissioners court. I  
5 do not work for the county government, so to speak,  
6 although my paychecks are actually provided through the  
7 county system, the county treasurer's office. I believe  
8 as an elected official that my responsibility and that my  
9 bosses are the 230,000 registered voters in Galveston  
10 County.

11 Q Thank you.

12 Can you tell me, have you, in your experience  
13 as voting registrar, ever seen any situations or felt  
14 like there have been times where the County itself is at  
15 odds with its voters?

16 MS. OLALDE: Objection, vague.

17 A Yes.

18 Q (By Ms. Copper) Can you tell me about those  
19 circumstances where you felt that way?

20 A Over 18 years, that's an awful big question.  
21 From my personal perspective as tax assessor-collector,  
22 they are most typically the -- the voters are very upset  
23 about the amount of taxes, and so they frequently  
24 complain about their taxes and their values that are  
25 determined by the appraisal district. And so any time



1 | there's a vote on budget or tax rates, then there's  
2 | usually some disagreement within the community on whether  
3 | they're doing all that they can to save the money that  
4 | they claim to be spending, or saving. That's probably  
5 | the biggest one.

6 | I do know that there -- through redistricting  
7 | and obviously these lawsuits, there's been some  
8 | dissatisfaction with different voters, different elected  
9 | officials that were affected by decisions in 2011, and  
10 | obviously by -- you know, by, I believe,  
11 | Commissioner Holmes and others in this most recent  
12 | redistricting.

13 | Q You mentioned dissatisfaction among voters in  
14 | both 2011 and potentially during the most recent  
15 | redistricting cycle. Can you tell me any specific  
16 | criticisms you have heard about either cycle and the maps  
17 | that were adopted as a result?

18 | A Not specifically with regard to the JP and  
19 | constables. I'm not sure that the constables that -- I  
20 | don't recall, without going back and looking at some  
21 | notes, how the determination was made of who would run  
22 | for each one of those receipt -- seats, but you went from  
23 | eight JPs and constables to four, so obviously, there  
24 | were going to be some people who would not be reelected  
25 | or would any longer represent those voters. And so there

1 was general dissatisfaction with -- by those two elected  
2 official groups on those maps and -- but specifically,  
3 people did not typically complain to me about that, so it  
4 was only what you would hear in commissioners court and  
5 testimony you read about in the newspaper.

6 Q And you mentioned Commissioner Holmes in  
7 particular in respect to the most recent redistricting  
8 process. Can you tell us any criticisms that you heard  
9 from him or about the redistricting with respect to him?

10 A I did not specifically talk to Stephen Holmes,  
11 but the general feeling and common knowledge in the  
12 community is, I think that he is of the opinion that he  
13 could not get elected in the current precinct as drawn.  
14 I didn't nec- -- and he voted against the maps, so that  
15 was an obvious position for him.

16 I didn't necessarily agree with his position.  
17 I think that he could win reelection in that precinct.

18 Q Why do you think that?

19 A Because he served the county well in the time  
20 that he's been in office.

21 Q And you think performance alone should be  
22 enough to get you reelected?

23 A In this county, yes, ma'am, I do.

24 Q Now, switching gears a little bit, if I  
25 remember correctly, you said earlier that you don't

1 recall having seen the proposed maps for this  
2 redistricting cycle before they were announced to the  
3 public. Is that accurate?

4 A Yes. I think we all somewhat saw them at the  
5 same time.

6 Q Okay. Do you remember just approximately  
7 might -- when that might have been?

8 MS. OLALDE: Objection, asked and answered.

9 A I believe that -- that it was stated that they  
10 adopted those maps in October or November.

11 Q (By Ms. Copper) Okay. And you had said that  
12 you were not present at the meeting at which they adopted  
13 those maps?

14 A No, ma'am, I was not.

15 Q And is that -- I know there was a public  
16 hearing regarding the redistricting process on  
17 November 12th, and I -- if I remember correctly, that is  
18 the meeting at which the commissioners adopted the maps.  
19 Does that sound correct to you?

20 A I -- without going back and looking at agenda,  
21 I would believe that to be true, yes.

22 Q And you were not at that November 12th meeting;  
23 is that correct?

24 MS. OLALDE: Objection, asked and answered.

25 A No, I was not at that meeting.

1 Q (By Ms. Copper) Okay. Now, again, I would like  
2 to revisit an exhibit that's already been introduced, if  
3 that's okay. If we could go ahead and pull up Exhibit  
4 Number 2. Luckily, I think you've read this all already  
5 and had a chance to talk about it a bit, so I will try to  
6 keep my questions much more tailored. But this is the  
7 January 14th email from yourself to -- looks like quite a  
8 number of people. The "to" line is to all of the county  
9 commissioners at that time; is that correct?

10 A Yes, and their chiefs of staff.

11 Q Okay. They -- the -- their chiefs of staff are  
12 the folks in addition to yourself that are CC'd; is that  
13 correct?

14 A Yes. And the blind CC would have been my chief  
15 deputy and the senior voter registration specialists who  
16 were going to be affected by this.

17 Q Okay. And now, in the first paragraph of your  
18 email, you said that redistricting is around the corner;  
19 is that correct?

20 A Yes. At that time, I assumed it would be  
21 April, as it had typically been.

22 Q And I -- from what we've discussed and you've  
23 said already, the commissioners didn't adopt their maps  
24 until October or November, as you remember; is that  
25 accurate?

1 MS. OLALDE: Objection, asked and answered.

2 A Yes, ma'am.

3 Q (By Ms. Copper) And the census data was  
4 released in August, though; is that correct?

5 MS. OLALDE: Objection, asked and answered.

6 Also vague as to "census data."

7 You can answer again.

8 A I believe that data was released in August,  
9 yes, ma'am.

10 Q (By Ms. Copper) In your experience, or from  
11 your side of things, what do you think would've taken so  
12 long then between August and November to warrant the kind  
13 of delay in coming out with the redistricting plan?

14 MS. OLALDE: Objection, calls for a lot of  
15 speculation.

16 You can answer if you can.

17 A There was a lot of data to be looked at and  
18 data that likely had to be entered into mapping, had to  
19 be coded and put into maps so decisions could be made in  
20 conformance with federal law, and I have no idea what  
21 those restrictions and laws are.

22 Q (By Ms. Copper) But it wasn't your office that  
23 was responsible for combing through and documenting all  
24 of that data.

25 A Yes.

1 Q Am I understanding that correctly?

2 Do you know who in particular was?

3 A I believe the County engineering department was  
4 predominantly responsible for entering the data into the  
5 county's system, the county's mapping system.

6 Q And would that be Mr. Sullivan and Mr. Sigler  
7 primarily?

8 A It would have been Mr. Shannon and Mr. Sigler  
9 primarily.

10 Q Apologies. Okay, Mr. Shannon and Mr. Sigler.

11 A Yes.

12 Q And was Mr. Sigler your primary point of  
13 contact in the engineering department?

14 MS. OLALDE: Objection, asked and answered.

15 A Yes, he was.

16 Q (By Ms. Copper) In your experience, what is  
17 Mr. Sigler's role with respect to redistricting,  
18 probably?

19 MS. OLALDE: Objection, calls for speculation.

20 A I don't know specifically. He has communicated  
21 to me that he had to geocode the census data into his  
22 system. I do not know specifically what that means.

23 Q (By Ms. Copper) Any data, though, that would  
24 come with respect to the redistricting maps that your  
25 office was then responsible for implementing, would those

1 maps and that data come from Mr. Sigler?

2 MS. OLALDE: Objection, vague.

3 A We didn't receive data. We received decisions.

4 Q (By Ms. Copper) Did you work with Mr. Sigler  
5 directly to implement the decisions that were made by the  
6 commissioners?

7 A No, ma'am, I did not. To imple- --

8 Q So --

9 A Well, repeat that question.

10 Q Did you work with Mr. Sigler to implement the  
11 changes that were made by the commissioners with respect  
12 to redistricting?

13 A To implement the changes that were made by  
14 commissioners, yes. But we -- neither one of us, to my  
15 knowledge, had any role in the decision-making process.

16 Q But the two of you together were then  
17 responsible, once that decision was made, for making the  
18 actual changes to the election precinct boundaries and  
19 the implementation of how that would look in terms of  
20 precinct splits, et cetera; is that correct?

21 MS. OLALDE: Objection, overbroad, vague, long,  
22 confusing.

23 You can answer if you can.

24 A It was my office's responsibility to take the  
25 changes that were provided and to enter them in the

1 system. Nathan had nothing to do with that other than  
2 providing maps and lists.

3 Q (By Ms. Copper) Okay. Now, looking at this  
4 email again, in the third paragraph of your email, I know  
5 we've discussed this language already, but you wrote that  
6 you would like to be "included from the standpoint of  
7 providing input on whether certain proposed plans would  
8 be better planned differently." Is that accurate?

9 A Yes, ma'am.

10 Q Now, you told me just a little while ago that  
11 you didn't see any of the proposed plans until they were  
12 made public; is that true?

13 A Yes, ma'am.

14 Q So even though you requested to have, as you  
15 said, input on proposed plans, did you find that you were  
16 allowed to have that kind of input during the 2021  
17 process?

18 MS. OLALDE: Objection, asked and answered  
19 multiple times.

20 A I was not con- --

21 MS. OLALDE: You can answer again.

22 A I was not consulted on any of the plans that  
23 were presented.

24 Q (By Ms. Copper) Even though, at least according  
25 to this email, you asked to be directly; is that correct?



1 MS. OLALDE: Counsel, listen, this line of  
2 questioning has been repeated over and over again. She's  
3 given you her testimony. Don't rephrase it five times  
4 and ask her to repeat it again. Move on.

5 MS. COPPER: Counsel, if you could limit your  
6 objections to the content of your objection. And again,  
7 Ms. Johnson is free to answer, even if they're  
8 duplicative and you object. So I'd like --

9 MS. OLALDE: You know what, again --

10 MS. COPPER: -- to continue with this course of  
11 action.

12 MS. OLALDE: No, no, no, no, no. If they are  
13 duplicative to the point of harassing and argumentative,  
14 I will shut it down.

15 MS. COPPER: We have not actually spoken about  
16 whether she directly -- I have not asked yet and I don't  
17 believe anyone has, whether she had specifically  
18 requested opportunities for input and that she was then  
19 denied.

20 MS. OLALDE: You -- no, no, no. You should  
21 have been listening to the first part of the deposition,  
22 because she was asked multiple times.

23 Q (By Ms. Copper) Ms. Johnson, I'm going to go  
24 ahead and ask my question one more time. Your counsel  
25 may go ahead and object, but unless she instructs you not

1 to answer, please go ahead and do so. Okay?

2 A My opinion was not considered --

3 MS. OLALDE: Wait, wait, wait. Wait for the  
4 question, please.

5 Q (By Ms. Copper) Ms. Johnson, even though in  
6 your email on January 21st you specifically requested to  
7 be allowed to provide input on those maps, you weren't  
8 able to do so during the 2021 redistricting process; is  
9 that correct?

10 MS. OLALDE: Objection, asked and answered. In  
11 fact, you have asked this question before, and it has  
12 been asked and answered.

13 Q (By Ms. Copper) You can go ahead and answer,  
14 Ms. Johnson.

15 A I asked to provide input, and I was not given  
16 an opportunity or did I provide input.

17 Q Thank you.

18 Now, looking at the letter that was attached to  
19 this email, which is -- if I remember correctly, you sent  
20 to Judge Henry on -- in December of 2020; is that  
21 accurate?

22 A I believe that this had been sent to multiple  
23 elected officials in December 2020.

24 Q To any jurisdiction in the county that was  
25 undergoing redistricting; is that right?

1 A Yes, ma'am.

2 Q Which obviously included the commissioners  
3 court?

4 A Yes, ma'am.

5 Q Now, in that letter, on the second page of  
6 it -- let's see here -- apologies. So it is the fourth  
7 paragraph down, second sentence. You wrote,  
8 "Communication will be key, thus I respectfully request  
9 that you keep us apprised of redistricting meetings. It  
10 may make our job easier to have a clearer understanding  
11 of your intentions as plans are developed." Is that  
12 accurate?

13 A That's what this states, yes, ma'am.

14 Q Do you feel, having completed the 2021  
15 redistricting process, that you had a clear understanding  
16 of the commissioners court's plans as they were  
17 developed?

18 MS. OLALDE: Objection, calls for speculation.

19 A I was aware of meetings that would be held, and  
20 that's what I asked to be apprised of.

21 Q (By Ms. Copper) Were you aware of any of the  
22 criteria that the commissioners were using to make their  
23 decisions with respect to redistricting?

24 A No, ma'am.

25 Q Even though your office is responsible for

1 maintaining all up-to-date election information; is that  
2 correct?

3 MS. OLALDE: Objection. I don't even know what  
4 that question is. She's already answered your question.

5 Q (By Ms. Copper) I'll be happy to rephrase.  
6 Ms. Johnson, even though your office is responsible for  
7 maintaining information about voting precinct boundaries  
8 as well as voter roll information; is that correct?

9 MS. OLALDE: Wait. Are you asking her to  
10 restate her last answer? You just asked her if she had  
11 any role, and then you asked her again if she had any  
12 role. I'm going to instruct the witness not to answer.  
13 Move on.

14 MS. COPPER: I'm asking her whether her office,  
15 irrespective of the redistricting process, was  
16 responsible for maintaining information and data related  
17 to election precinct splits and voter rolls, which is not  
18 the question I asked previously.

19 MS. OLALDE: If you're going to ask that  
20 question, great.

21 Go ahead and answer.

22 A We did not have access to the data that the  
23 commissioners were using to make their decisions. All I  
24 had was the lists of registered voters in each precinct.

25 Q (By Ms. Copper) Which, according to your

1 January 14th email, you sent to the commissioners; is  
2 that correct?

3 A I'm not sure I understand that question.

4 Q Looking at your email, I see an attachment to  
5 it that says "Galveston County Precinct List" with number  
6 of voters, looks like an Excel spreadsheet. And I  
7 believe in the first line of your email, you said, "I  
8 thought it may be helpful for each of you to have the  
9 list of registered voters across the county by precinct."  
10 Do you see that?

11 A Yes, ma'am. And I see the --

12 Q So your intention in sending this email was to  
13 provide data to the commissioners that could potentially  
14 be relevant for the redistricting process. Is that --

15 MS. OLALDE: Objection --

16 Q (By Ms. Copper) -- accurate?

17 MS. OLALDE: -- asked and answered. This  
18 question has been asked and answered.

19 Q (By Ms. Copper) You can go ahead and answer,  
20 Ms. Johnson.

21 A In hindsight, it was useless for me to provide  
22 this information because they were using geocoded census  
23 data, not the number of voters in each precinct. The  
24 only benefit to this was to see that there was an  
25 imbalance among the county commissioners of the total

1 number of voters in each voting precinct.

2 Q And is the balance of the number of voters in  
3 each precinct something that should be taken into  
4 consideration when redistricting?

5 MS. OLALDE: Objection, you're calling for a  
6 legal conclusion, you're calling for speculation, you're  
7 also asking a question that has already been answered.  
8 She does not know about the criteria, as she has already  
9 testified.

10 Q (By Ms. Copper) In your opinion and experience,  
11 Ms. Johnson, as the voter registrar responsible for  
12 implementing redistricting plans once adopted, what was  
13 the purpose in sending this information to them?

14 MS. OLALDE: Okay, objection, misstates prior  
15 testimony as to implement, and she's already answered  
16 this question.

17 MS. COPPER: Counsel, if you could --

18 MS. OLALDE: You just asked her -- wait. You  
19 just asked her what the purpose was. She answered your  
20 question.

21 MS. COPPER: Counsel, if you could please limit  
22 your objections to the appropriate form that is required,  
23 I would appreciate it moving forward.

24 MS. OLALDE: Ms. Cooper, I would appreciate  
25 it --

1 MS. COPPER: My last name's Copper.

2 MS. OLALDE: Okay. I apologize, because I  
3 don't have your face in front of me right now because the  
4 witness is using my computer to look at the exhibit. But  
5 Ms. Copper, if you could please refrain from asking the  
6 same questions that have already been answered, I would  
7 appreciate it.

8 Q (By Ms. Copper) Okay, Ms. Johnson, going back  
9 to this email --

10 MS. OLALDE: Her name is Ms. Johnson, not  
11 Ms. Jackson.

12 MS. COPPER: I said Ms. Johnson.

13 Q (By Ms. Copper) I know, Ms. Johnson, that you  
14 have already discussed the contents of the fourth  
15 paragraph of your email with Ms. Garrett, which is about  
16 the issue of residential property splits between voting  
17 precincts. Do you remember that?

18 A Yes, ma'am.

19 Q In your experience, did the plan the  
20 commissioners adopted in 2021 address the issue of  
21 residential precinct splits that you raised in this  
22 email?

23 MS. OLALDE: Objection, vague as to "plan."

24 A They requested at a much later date if I could  
25 identify any specific properties that had splits. The

1 issue became -- it was a moot point because these  
2 properties were not developed using census maps. They  
3 were developed using plot plans developed -- created by  
4 developers, and there was no regard for census data. And  
5 so there was really nothing that could be done about  
6 these issues, as I recall.

7 Q (By Ms. Copper) So despite raising them by  
8 virtue of being tied to the census data, it was something  
9 that you couldn't address more explicitly? Am I  
10 understanding that correctly?

11 A That they could not address more explicitly.

12 Q Okay. I'd like to pull up another exhibit that  
13 we've already discussed, which is Exhibit Number 10.  
14 Now, this is a lengthy discussion, email thread between  
15 you and Mr. Paul McLarty; is that correct?

16 A It started with others.

17 Q Okay. Looking just at the top email from --  
18 from -- I know the name is redacted, but we've  
19 established that you were the custodian identified for  
20 this email.

21 A Uh-huh.

22 Q So looking at that top email, it is addressed  
23 to Paul McLarty and Nathan Sigler; is that correct?

24 A Yes.

25 Q And in your email, you said that Mr. Sigler



1 had -- was "currently loading geo information to perfect  
2 the counts with regard to census data and voter rolls so  
3 that the commissioners are able to make better decisions  
4 on Friday, projected date to adopt." Do you see that  
5 language?

6 A Yes, ma'am.

7 Q Now, this email was sent on November 3rd, which  
8 is a -- as the subject line identifies, a Wednesday.  
9 When you say that you expected the commissioners to make  
10 a decision on Friday, do you remember if you meant  
11 November 5th or 12th?

12 A I don't recall. My projected date to adopt --  
13 that's probably a good question. Because that was  
14 Wednesday, I would assume it would've been November 5th.

15 Q In the same email, I think you also said, "I  
16 believe commissioners will adopt their maps Friday." Is  
17 that correct?

18 A Yes, ma'am.

19 Q Now, to the best of your knowledge, when this  
20 email was sent on November 3rd, there hadn't yet been a  
21 public hearing about the proposed plans, had there?

22 A I do not -- I could not tell you that. I -- I  
23 do not have -- I -- I did not know that.

24 Q You had not seen any public postings of  
25 meetings specifically seeking public input over

1     redistricting, though; is that correct?

2             A     Not that I recall.

3             Q     And to the best of your recollection, why did  
4     you believe that the commissioners would adopt the  
5     redistricting plans that Friday?

6             A     I can't tell you that, other than without  
7     knowing what was being said in the community, what was  
8     maybe in -- in the news -- and it could've been that they  
9     were actually trying to move forward on that Friday. But  
10    everything was subject to people -- certain people  
11    getting their work done, and in this case, as this email  
12    states, it would have been Nathan completing his  
13    geocoding. They could not make decisions without that  
14    occurring.

15            Q     I will represent to you that the public hearing  
16    regarding redistricting which occurred on November 12th,  
17    the following Friday, was not released publicly or  
18    announced publicly until November 9th. So if you didn't  
19    see information about this hearing in the news, where  
20    else might you have learned it?

21            MS. OLALDE: Objection, calls for speculation.

22            A     It would be logical that Nathan or  
23    Commissioner Clark would've told me that.

24            Q     (By Ms. Copper) And if you knew or had the  
25    impression by the 3rd of November that the commissioners

1       were going to meet that Friday, do you think they likely  
2       also knew that?

3               MS. OLALDE: Objection, calls for speculation.

4               A       I have no idea.

5               Q       (By Ms. Copper) Do you know if the  
6       commissioners or any of their staff knew at that time  
7       that they were going to address the redistricting  
8       proposal on that Friday?

9               MS. OLALDE: Again, calls for speculation,  
10       objection.

11              A       I have no idea.

12              Q       (By Ms. Copper) And did you know that the  
13       commissioners didn't announce the hearing that was  
14       eventually held on November 12th until November 9th, only  
15       three days before it happened?

16              A       No, but that would be the 72 hours required in  
17       advance of a public meeting.

18              Q       So there's a requirement to that effect?

19              A       In Texas law, as I understand it, yes, ma'am.

20              Q       Are there any circumstances, in your  
21       experience, where if the commissioners or county staff  
22       know that a meeting will be held more than 72 hours in  
23       advance, they give public notice sooner anyway?

24              A       I don't -- everybody knows that they meet every  
25       other week right now. What's going to be an item on that

1 agenda's not known until that agenda's specifically  
2 published.

3 Q Now, looking at the very last sentence of your  
4 email, you wrote, "One thing I have asked is that the  
5 current lines remain the same as much as possible and  
6 that major thoroughfares or natural boundaries (creeks,  
7 drainage or utility easements, etc.) be used to split  
8 precincts." Did I read that accurately?

9 A Yes, ma'am.

10 Q Now, when you say that you asked that the  
11 current lines remain the same, who would you have asked?

12 A I believe it's in that other email or that  
13 letter. I asked all of the jurisdictions to consider  
14 those -- to con- -- to make those -- take those items  
15 into consideration.

16 Q So you would have asked this in -- by virtue of  
17 your December 2020 letter that was sent to all  
18 jurisdictions undergoing redistricting?

19 A Yes, ma'am.

20 Q Did you ever ask anyone in the county  
21 commissioners' staff or commissioners directly to have  
22 the current lines of the redistricting plan remain as  
23 close to the same as possible?

24 A Would you repeat that question? I did not have  
25 conversations with any of them about that.

1           Q     Did you express -- other than your  
2     December 2020 letter, did you express your desire that  
3     the current lines remain the same as much as possible to  
4     anyone in the county?

5           A     I would have to go back and look at that letter  
6     specifically. That's a very specific question. We --  
7     what I'm requesting there is that they didn't change the  
8     individual lines for each of the voting precincts. With  
9     100 precincts, I did not want every single line redrawn.  
10    And so that's what that means, that the current lines  
11    remain the same as much as possible, and that, as I've  
12    stated earlier, that entire precincts be moved, not that  
13    they all be totally redrawn. That would've been very  
14    difficult to implement. And they honored that request.

15          Q     So there were -- there were criteria with  
16    respect to the implementation that the plan adopted that  
17    were, in your opinion, useful for commissioners or others  
18    doing redistricting to -- in the planning. Is that  
19    accurate?

20               MS. OLALDE: Objection, calls for speculation.  
21    Also calls for a legal conclusion.

22          A     And I didn't understand a lot of that. It was  
23    very garbled.

24          Q     (By Ms. Copper) I apologize. How is my volume  
25    now?

1           A     It's not a problem with the volume. It's just  
2     your -- the voice is very garbled. It's not clear.

3           Q     Okay. How -- any better?

4           A     Just -- if you speak slowly, then I should be  
5     able to try and figure out what you're asking me. Thank  
6     you.

7           Q     Okay. I'll do my best, and please do let me  
8     know if I'm cutting out.

9                     Now, my previous question was: Did you  
10    communicate your desire that the current lines remain the  
11    same as much as possible to anyone in the county  
12    commissioner -- either a county commissioner themselves  
13    or to members of their staff with respect to the 2021  
14    redistricting process?

15           MS. OLALDE: Objection, asked and answered.

16           A     If that was contained in that email, in that  
17    letter, then yes, I did. I know that I asked them to  
18    align by natural boundaries. I don't recall  
19    specifically, without going back and reading that  
20    exhibit, whether I mentioned the current lines remain the  
21    same as much as possible.

22           Q     (By Ms. Copper) But there were considerations  
23    with respect to implementation of whatever map was  
24    adopted that you felt were useful for the people  
25    considering the (audio cutting out) redistricting to

1 think about during planning. Is that accurate?

2 THE REPORTER: I'm sorry, your audio is cutting  
3 out. It's a little garbled. Could you repeat that,  
4 please?

5 MS. COPPER: Sure. Could we actually -- is it  
6 okay, Ms. Johnson, would you mind if we take a  
7 five-minute break and I figure out my audio issues and we  
8 reconvene after that?

9 MS. OLALDE: We can take a break.

10 THE VIDEOGRAPHER: Okay. Current time is 3:13.  
11 We're now off the record.

12 (Recess.)

13 THE VIDEOGRAPHER: Current time is 3:21 p.m.  
14 We're now back on the record.

15 Q (By Ms. Copper) Okay, Ms. Johnson, I only have  
16 one last question for you about this exhibit and our  
17 conversation that we have been having about precinct --  
18 residential precinct splits. In your opinion, is the map  
19 that the commissioners adopted in 2021, did it maintain  
20 the current lines as much as possible?

21 MS. OLALDE: Objection, vague as to "map."

22 A As I recall, it did, if you're talking about  
23 election voting precincts.

24 Q (By Ms. Copper) Yes, ma'am.

25 Do you remember if the other proposed map also

1 maintained election precincts as much as possible?

2 A As I recall, I -- you know, I'm not 100 percent  
3 certain, because I'm not sure I ever saw any details on  
4 anything but the final plan, so I'm not 100 percent sure.  
5 I -- I didn't see any detail in those maps.

6 Q Okay. Well, I would like to switch gears a bit  
7 and show you a new exhibit.

8 MS. COPPER: Mr. Munk, in our folder, it will  
9 be marked as Docket Number DEFS00031247. Do you see that  
10 document?

11 MR. MUNK: Yes, I do.

12 MS. COPPER: Great.

13 MR. MUNK: Exhibit 13 has been introduced.

14 Q (By Ms. Copper) Do you have that exhibit in  
15 front of you, Ms. Johnson?

16 A Yes, I do.

17 Q This is a document that your attorneys produced  
18 to us yesterday, and if I'm looking at it correctly, it  
19 is a picture of a Facebook post from February 21st, 2020,  
20 from the user Cheryl E. Johnson at the handle  
21 "@VoteforCheryl2020." Is that all correct?

22 A It's a tweet, not a Facebook post.

23 Q Oh, apologies. Yes, a tweet. Other than that,  
24 is that all correct?

25 A Yes.



1 Q Now, is this handle, "@VoteforCheryl2020," your  
2 personal Twitter account or was this a campaign account?

3 A They're one and the same. It would have been a  
4 personal campaign account, Twitter account.

5 Q So you would've been the person writing this  
6 tweet, not someone on your behalf. Is that accurate?

7 A Yes, ma'am, it is.

8 Q And the tweet itself reads, "The Galveston  
9 County Tax Assessor race has reached a new low with the  
10 challenger mailing a racist flyer full of lies. Stay  
11 tuned for more!" Is that accurate?

12 A Yes, ma'am, that's what it states.

13 Q And as I mentioned, your attorneys produced  
14 this document to us yesterday. When did you first search  
15 your -- or remember that you had this document as  
16 relevant to this case?

17 A I never produced that document. I only became  
18 aware of it, was reminded of it myself, I believe,  
19 yesterday.

20 Q Okay. And were you reminded of it by your  
21 attorneys, I presume?

22 A Yes, ma'am.

23 Q I'd like to turn now to another new exhibit.

24 MS. COPPER: Mr. Munk, this is Document Number  
25 DEFS00031248.

1 MR. MUNK: Exhibit 14 has been introduced.

2 Q (By Ms. Copper) And Ms. Johnson, this is  
3 another document your attorneys produced yesterday to us,  
4 and it appears to be another tweet from your Twitter  
5 account from -- this time it's February 23rd, 2020, so  
6 two days after the first post. Is that accurate?

7 A Yes, ma'am.

8 Q And the post itself reads, "We have some nasty  
9 campaigning going down in Galveston County, Texas." Is  
10 that accurate?

11 A Yes, that's what it states.

12 Q And the post appears to link to an article from  
13 the Galveston County news titled, "Johnson: Peden ad  
14 'racist,' 'discriminatory' and 'a lie.'" Am I reading  
15 that correctly?

16 A Yes.

17 Q Okay. I'd like to turn now to another new  
18 exhibit.

19 MS. COPPER: Mr. Munk, this is in our folder  
20 titled "Johnson: Peden ad 'racist,' 'discriminatory' and  
21 'a lie'" -- or excuse me. I apologize. It's called  
22 Galveston County News 222 Article.

23 MR. MUNK: Exhibit 15 has been introduced.

24 Q (By Ms. Copper) And I know this is a lengthier  
25 article, Ms. Johnson, so please go ahead and take a

1 moment to review. Just let me know when you're ready.

2 A (Reviewing document.) I'm familiar with this  
3 article.

4 Q Is this the article from the Galveston County  
5 News that was linked in your February 23rd tweet?

6 A Yes, ma'am.

7 Q Now, looking at the top of the second full  
8 page, there's a political ad pictured; is that correct?

9 A The campaign advertisement?

10 Q Yes, ma'am.

11 A That's not a PPA. It looks like a title  
12 underneath the picture.

13 Q I'm sorry, I don't know what you mean by that.

14 A Well, you said is it a PPA, and it says "A  
15 campaign advertisement paid for by Republican tax  
16 assessor-collector candidate Jackie Peden shows an MS-13  
17 gang member among messages about illegal immigrants  
18 voting in Galveston County." So it's like a -- a  
19 statement about what the picture is.

20 Q Oh, I apologize. I mean the picture itself is  
21 of an ad of a campaign advertisement; is that correct?

22 A Yes. It was a flier that was mailed, yes,  
23 ma'am.

24 Q And this is a flier that was run against you by  
25 your opponent in the 2020 Republican primary for tax

1 | assessor; is that correct?

2 | A Yes, ma'am.

3 | Q And looking at the ad itself, it states at the  
4 | top, "Texans can thank Cheryl Johnson for having illegal  
5 | immigrants vote in this November's election," with a  
6 | picture of a heavily tattooed Hispanic man; is that  
7 | correct?

8 | A I would assume he's Hispanic, yes, or Latino,  
9 | yes.

10 | Q Given that the focus of the ad is on illegal  
11 | immigrants, is the assumption that they are -- that it is  
12 | someone who is Hispanic?

13 | MS. OLALDE: Objection, calls for speculation.

14 | A I can only imagine that she was suggesting that  
15 | illegal immigrants or noncitizens are -- are gang members  
16 | heavily tattooed and are voting in Galveston County.

17 | Q (By Ms. Copper) Which I assume, in your  
18 | experience, is not the case; is that correct?

19 | A Not -- not the case at all in my experience.

20 | Q Now, if you scroll down to the third page of  
21 | the article, the paragraph under the large gap, it states  
22 | that the photograph used in the advertisement was not  
23 | actually of a Galveston County resident at all, but  
24 | instead, is a 2012 picture of an MS-13 gang member  
25 | incarcerated in El Salvador; is that accurate?

1       A     That's what the ad -- that's what the article  
2     states, yes.

3       Q     And the article also states in the paragraph  
4     right below that this image is one of the first pictures  
5     that shows up on a Google search for the gang MS-13. Is  
6     that accurate?

7       A     Yes.

8       Q     Now, looking at Page 4 of the article, the  
9     second paragraph, you are quoted as saying that the ad  
10    was "despicable, it is vile, and it's a lie," and that  
11    you were "offended by it." Is that accurate?

12      A     Yes, ma'am.

13      Q     Can you tell me, why were you offended by this  
14    ad?

15      A     It suggests that noncitizens are heavily  
16    tattooed gang members and it makes it appear that every  
17    Hispanic male or somebody with tattoos is a noncitizen.  
18    I think that that's very -- I think that is despicable  
19    and vile and as well as being a lie. I know a lot of  
20    people with tattoos --

21      Q     And --

22      A     -- and they're not Hispanic males or gang  
23    members or noncitizens.

24      Q     And in your -- and in your experience, not  
25    every Hispanic person is an illegal immigrant either; is

1     that right?

2             A     That's right.

3             Q     And referring to your February 21st tweet, you  
4     also described this ad as racist. Is that accurate?

5             A     As I recall, yes.

6             Q     Do you believe today that this ad is racist?

7             A     Yes, I do.

8             Q     So I know we've discussed the facts that the  
9     man identified -- the man pictured is not identified as  
10    Hispanic, but that appears to be what is implied; is that  
11    correct?

12            A     Yes --

13            MS. OLALDE: Objection, calls for speculation,  
14    also asked and answered.

15            A     Yes. And according to the article -- actually,  
16    he's from El Salvador.

17            Q     (By Ms. Copper) So not from Galveston County at  
18    all?

19            A     Correct.

20            Q     Have you been the subject of other attacks  
21    during any of your campaigns that have invoked fears of  
22    illegal immigration or called on racial stereotypes?

23            A     I don't recall, although Ms. Peden could have  
24    stated that I refused to remove noncitizens from the  
25    voter roll. I don't recall any other advertisement that

1 was as -- as I would say, as despicable as this.

2 Q Was the critique that you had allowed  
3 noncitizens to remain on the voter roll a major part of  
4 the Republican primary in 2020?

5 A I don't believe it was a major part of -- of my  
6 specific campaign at all.

7 Q Were -- do you feel that you were the subject  
8 of attacks from either Ms. Peden or others during the  
9 Republican primary that focused particularly on your  
10 experience with respect to illegal immigrants and their  
11 place on the voter roll?

12 A I think definitely Ms. Peden expressed this,  
13 and I think that there were very many people who were  
14 highly offended by this.

15 Q Did you speak to others about being offended by  
16 this ad?

17 A Oh, yes, every voter that came to vote.

18 Q What did they tell you?

19 A That they didn't know they were going to vote  
20 for me until they saw this.

21 Q So the racism of this ad was something that  
22 pushed them towards voting for you and supporting you.  
23 Is that accurate?

24 A Yes, because people agreed with my opinion of  
25 this ad.

1 Q And your opinion being that it was racist and a  
2 lie?

3 A Yes.

4 Q Have you seen or heard about racial appeals in  
5 any other political campaigns in Galveston County?

6 MS. OLALDE: Objection, broad. You can answer.

7 A I don't recall specifically any other campaigns  
8 that went down this trail, no. Doesn't mean that they  
9 didn't happen, but I have no recollection of them.

10 Q (By Ms. Copper) And outside of political  
11 campaigns, have you ever witnessed or heard of any kind  
12 of instances of discrimination based on race or any --  
13 even any type of racial stereotyping in Galveston County?

14 MS. OLALDE: Objection, really broad.

15 You can answer to the extent you're able.

16 A And I might have to ask you to repeat that  
17 because it was a very broad, open-ended question, if you  
18 would, please.

19 Q (By Ms. Copper) Of course. Happy to.

20 Outside of political campaigns, have you ever  
21 witnessed or experienced or even heard about racial  
22 discrimination or stereotyping in Galveston County?

23 MS. OLALDE: Same question -- or same objection  
24 to that question.

25 A I have no personal knowledge of racial



1 stereotyping and being a major issue in Galveston County.

2 Q (By Ms. Copper) When you say you have no  
3 personal knowledge, does that mean you've never had  
4 anyone raise complaints about discrimination to you?

5 A There could've been people that have raised  
6 that issue, including the NAACP, but after a meeting with  
7 them, there was no belief on their part that that existed  
8 at all. So I -- as it pertained to me would've been my  
9 only concern. As it pertained to anybody in my office  
10 would've been my concern. I tried not to be -- play God  
11 for the rest of Galveston County.

12 Q Did you ever hear any criticisms about the 2021  
13 redistricting process as it relates to race?

14 A Not specifically. The suggestion that a  
15 minority district had been changed was all I heard, and  
16 that was the extent of it.

17 Q And what was the criticism made about the  
18 district being changed?

19 A That Commissioner Holmes' precinct had been  
20 moved sufficiently that he may not be able to be  
21 reelected.

22 Q Did you ever hear concerns that a candidate of  
23 color generally might not be able to be elected?

24 A I -- I don't think that color comes into a  
25 decision-making process for the people of Galveston

1 County, personally.

2 Q And do you think that racism is a problem in  
3 Galveston County?

4 A Very broad question. I do not believe it is a  
5 problem in Galveston County. It doesn't mean it doesn't  
6 exist. It doesn't mean it -- it isn't discussed or  
7 hasn't come up as different topics. But I don't believe  
8 it's a major issue for the residents of Galveston County.

9 Q Even if it's not a major problem, do you think  
10 that racism exists in the county?

11 A I think it would be unreasonable to assume it  
12 does not.

13 Q Okay. Thank you.

14 I'm actually going to turn now to what would be  
15 my last exhibit, which is another new exhibit.

16 MS. COPPER: It is labeled in our folder as  
17 "Big Jolly Politics - 1.8.2018 Post," Mr. Munk.

18 MR. MUNK: Exhibit 16 has been introduced.

19 Q (By Ms. Copper) Ms. Johnson, I know this is  
20 another long one, so if you wouldn't mind just taking a  
21 minute and reading this over and letting me know when  
22 you're done.

23 A (Reviewing document.) I remember authoring  
24 this. Whether it was reproduced by this online paper  
25 specifically as it was presented, I -- I can't affirm

1 without checking my files. But yes, I remember. I'm  
2 very familiar -- I'm familiar with this.

3 Q And can you tell me generally, are you familiar  
4 with the website that this is on, Big Jolly Politics?

5 A I'm vaguely familiar with it. They -- they  
6 sometimes carry articles that I write. I think they go  
7 out and they grab them and -- and publish them.

8 Q Okay. I will represent to you, just for  
9 fullness of information, that according to the website's  
10 "About" page, "Big Jolly Politics was started by David  
11 Jennings in 2009 after moving on from LoneStarTimes.com,"  
12 and "The goal was to create a website that covered local  
13 and state politics with an eye on truth first."

14 Is that your experience with this website, that  
15 it is focused on state and local politics with an eye on  
16 truth first?

17 A I don't see that printed here, but I -- from  
18 what little I know, that would be a fair summation.

19 Q And do you know David Jennings, the person  
20 that's responsible for this web page?

21 A Not personally.

22 Q So only through his publications?

23 A Yes. I don't recall if I've ever met him. I  
24 don't remember meeting him.

25 Q And am I right in understanding from this post,

1 again, with the caveat that whether your email is  
2 reproduced accurately is something you can't attest to at  
3 this moment, am I right in understanding that everything  
4 in quotes, starting with "Lov ya Bon," is quoting an  
5 email from you?

6 A As I recall, this was a guest column that I had  
7 written. And assuming that he reproduced it in its  
8 entirety, although it might have quotes, I think  
9 that that quote was -- the "Lov ya Bon," I don't see the  
10 end of that quote.

11 Q Nor do I. I assumed, based on -- that the  
12 entire rest of the article was the email from you, or it  
13 sounds like a guest column. Looking at it, can you tell  
14 me where you think your quoted language should end? My  
15 understanding was it was with the sentence "She laughed  
16 from the bottom of her gut and sings (loudly) out of  
17 tune."

18 A Yes, that would be -- as I recall, that's the  
19 way I wrapped up that article, that column, yes, ma'am.

20 Q Well, what a lovely description. She sounds  
21 like a wonderful woman.

22 A She really is.

23 Q And very briefly, can you tell me just a little  
24 bit about what is the subject of this post?

25 A Bonnie Quiroga worked for the county for many,

1 many years, including in the tax office, years before I  
2 was there. So as this says, for 32 years, she was a  
3 devoted public servant and employee of Galveston County.  
4 And she was not loyal to people as much as -- this says,  
5 "She was loyal to the people and the purpose of county  
6 government." She did not throw any punches, and I wanted  
7 people to know the person who was being assaulted in  
8 court, in -- and I don't mean physically assaulted, but  
9 was being attacked as a result of her termination by Mark  
10 Henry. It was, in my opinion, an unfair situation. She  
11 was a victim. And she dared stand up to individuals she  
12 didn't agree with, and she got fired for it. And I was  
13 trying to let people know that there was a human side to  
14 Bonnie Quiroga.

15 Q One who laughs loudly out of tune, it sounds  
16 like.

17 A Yes, ma'am.

18 Q You said that she was loyal to the people  
19 instead of the County. That is much how you envision  
20 yourself; is that accurate?

21 A Yes, yes. The people are part of the county,  
22 so, you know, I'm not loyal to county government as much  
23 as I am loyal to the people of the county. The  
24 purpose -- this is the purpose of county government. We  
25 all support the purpose of what we do.

1           Q     And in your experience, have other people like  
2     Ms. Quiroga -- please tell me if I'm saying her name  
3     incorrectly. Are other people like Ms. Quiroga and  
4     yourself who are loyal to the people over the government,  
5     have they faced difficulties in county government as a  
6     result of that?

7           MS. OLALDE: Objection, calls for speculation.

8           A     I -- I really don't know. There were many  
9     county employees that left, some of which were fired,  
10    after there were changes in commissioners court.

11          Q     (By Ms. Copper) Speaking only from your  
12    personal experience, have you ever had difficulties,  
13    given that your loyalty is to the people instead of to  
14    the government structure of Galveston County?

15          A     Yes, ma'am.

16          Q     Can you tell me a little bit about that?

17          A     I do not support taxpayer-funded lobbying. I  
18    do not believe government funds should be used against  
19    the people. I am a public servant first, a politician  
20    last, and that goes against the grain of most  
21    politicians, ones I consider self-serving. So I've just  
22    simply tried to be a good public servant and -- and  
23    fulfill the promises that I've made to the people from  
24    day one. That gets me into --

25          Q     And --

1           A     -- trouble sometimes.

2           Q     -- you mentioned County Judge Henry in  
3 particular. Is he someone who in the past you felt like  
4 is maybe a politician more than a public servant?

5           MS. OLALDE: Objection, irrelevant,  
6 speculation.

7           A     Judge Henry and I aren't currently at odds as  
8 we were at this time. I'd rather reserve my opinion.  
9 We're working well together right now, and I think at one  
10 point we didn't work well together at all and we were  
11 definitely in different factions of the Republican party.

12          Q     (By Ms. Copper) And not to take you back to  
13 2018, but I see looking at Page 2 of the article, the  
14 third paragraph on the page, you wrote -- begin with,  
15 "You see, the county judge has a problem. He is a bully.  
16 Bullies don't want advice because they are never wrong."  
17 Is that accurate, what's written there?

18          A     Yes, ma'am.

19          Q     And when you refer to "the county judge,"  
20 you're talking about Judge Henry?

21          A     Yes, ma'am.

22          Q     Now, I understand your relationship has  
23 improved since then, but can you tell me, at the time,  
24 why did you write that he was a bully?

25          A     Because he was. Bullies intimidate. They're

1 mean-spirited. I may fire somebody for nonperformance,  
2 but it's never personal, and everything with Judge Henry  
3 is very personal.

4 MS. OLALDE: I'm going to object --

5 Q (By Ms. Copper) Does that include policy  
6 work --

7 MS. OLALDE: Hold on.

8 Q (By Ms. Copper) -- or --

9 MS. OLALDE: Hold on. I'm going to place an  
10 objection to the extent that that calls for speculation.

11 But go ahead.

12 A Was there a question?

13 Q (By Ms. Copper) Yes, ma'am. Are you aware of  
14 other instances besides the issues with Ms. Quiroga where  
15 you believe Judge Henry has ever been a bully?

16 MS. OLALDE: Again, I'm going to object to the  
17 extent the answer -- the question calls for speculation.

18 A There were a couple of IT employees and an IT  
19 director who were fired. I believe they might have  
20 disagreed based on what they've told me. Whether it was  
21 factual or not, I don't know. But they made decisions  
22 that were not -- did not conform to what the judge wanted  
23 them to do, and they no longer work for the county.

24 Q (By Ms. Copper) And you said that you've now  
25 gone through two redistricting cycles; is that correct?



1           A     Yes, ma'am.

2           Q     And both of those, you had to work with  
3     Judge Henry to some extent. Is that also correct?

4           A     Not really. We did not -- there was no direct  
5     contact other than me requesting funding from  
6     commissioners court. When he did receive his accurate  
7     voter card, he took a picture of it and texted it to me  
8     and said, Job well done. That was very kind, but that's  
9     about the extent of it.

10          Q     But you never had any direct contact with  
11     Judge Henry, he never emailed you, set up a phone call,  
12     came to meet with you about redistricting?

13          A     Not that I recall.

14          Q     Have you ever heard any comments from others  
15     about Judge Henry being a bully with respect to the  
16     redistricting process?

17          A     I'm not sure that I've heard from anybody that  
18     he was a bully about redistricting. And so no, I -- the  
19     answer to that would be no.

20          Q     You've mentioned, though, that there have been  
21     criticisms with respect to Stephen Holmes' continuing  
22     role on the commission after the new plans were adopted;  
23     is that correct?

24                 MS. OLALDE: Objection, misstates prior  
25     testimony.

1           A     Yes, I'd have to ask you to repeat that  
2     question. I'm not sure I really understood the question.

3           Q     (By Ms. Copper) Of course. You had mentioned  
4     earlier that you had heard criticisms or complaints about  
5     the redistricting process with respect to its effect on  
6     Commissioner Holmes' district; is that correct?

7           A     I've not heard complaints about it. That was a  
8     concern I think was communicated in the media and -- to  
9     the best of my recollection.

10          Q     But any reports over that are things that  
11     you've heard from public reporting, not direct  
12     conversations you've had with anyone?

13          A     Yeah, I've not had any direct conversations  
14     with anybody about that.

15          Q     Okay. Now, Ms. Johnson, my colleague,  
16     Ms. Garrett, asked you about a couple emails, and I know  
17     we've spoken about the January 14th email where you had  
18     asked to have things like open dialogue, the ability to  
19     look at plans before -- or proposed plans. Is that  
20     accurate?

21          A     Yes, I had asked for that in emails and in  
22     correspondence.

23          Q     In your opinion only, if the county  
24     commissioners had involved you in the planning process  
25     with an eye towards implementation then, do you think

1 | there's a chance we might not be sitting here in  
2 | litigation over the county's map?

3 | MS. OLALDE: Objection, calls for a lot of  
4 | speculation, also for legal conclusions.

5 | You can answer to the extent it's possible.

6 | A I do not believe they could have done anything  
7 | differently to ease my implementation that regarded their  
8 | precincts. The difficulty for me was -- that would've  
9 | made it easier was had they not split voting precincts  
10 | within the county commissioner precincts. I understand  
11 | there was a need for them to do that due to population  
12 | totals, I would assume, but I don't believe that the  
13 | overall decision for county commissioner precincts in my  
14 | implementation would have been -- or Galveston County  
15 | commissioner precincts would've changed or my input  
16 | would've changed their overall big plan with regard to  
17 | the four precincts that they established.

18 | Q (By Ms. Copper) And how things shook out in  
19 | terms of precinct splits, do you think that if the  
20 | commissioners had adopted Map 1 in terms of Map 2, there  
21 | would have been any difference in the issue of precinct  
22 | splits?

23 | A As far as I know, no, because if I look at  
24 | those maps today, the areas where they split were  
25 | outside -- were in the center of the commissioner

1     precincts. They weren't along the boundaries that maybe  
2     had separated or changed Precinct 3. They were  
3     predominantly in the League City or South Shore Harbour,  
4     densely populated, new areas of development.

5             MS. COPPER: Okay. I believe that those are  
6     actually all of my questions for you, but if you don't  
7     mind if we take a quick five-minute break, just so I can  
8     confer. And then otherwise, if that's it, I will be  
9     happy to hand you over to my colleague, Mr. Newkirk.

10            THE WITNESS: Thank you.

11            MS. OLALDE: Thank you. We can take a break.

12            THE VIDEOGRAPHER: Time is 3:55. We are now  
13     off the record.

14            (Recess.)

15            THE VIDEOGRAPHER: Current time is 4:03 p.m.  
16     We're now back on the record.

17            MS. COPPER: Ms. Johnson, I just wanted to  
18     confirm that I have asked all of my questions of you and  
19     to thank you very much for taking the time to talk to me  
20     today. I'm going to pass you off to my colleague, Zach  
21     Newkirk for the government, who I believe is sitting in  
22     the same room with you.

23            THE WITNESS: Yes, he is. Thank you very much.

24                    E X A M I N A T I O N

25     BY MR. NEWKIRK:

1           Q     Hi. Good afternoon, Ms. Johnson. Zach Newkirk  
2 again --

3           A     Good afternoon.

4           Q     -- for the United -- on behalf of the United  
5 States -- also for the United States. Thanks so much for  
6 your time this afternoon. I don't anticipate --

7           THE REPORTER: Excuse me.

8           MR. NEWKIRK: Yes.

9           THE REPORTER: I am not hearing every word that  
10 you're saying. You're going to need to speak towards the  
11 microphone. I'm only hearing the loud words you're  
12 saying.

13           MR. NEWKIRK: Would it be okay to unmute  
14 myself?

15           MS. OLALDE: I have an external mic speaker.  
16 We could try that. Sometimes it works, sometimes it  
17 doesn't.

18           MR. NEWKIRK: I could try to enunciate really  
19 loudly, if that's okay. Is this all right, Ms. Carter?

20           THE REPORTER: Yes, I'm hearing you now. Thank  
21 you.

22           MR. NEWKIRK: All right. Sorry about that.  
23 Okay. I don't know what you caught, Ms. Carter, but  
24 essentially, I'm Zach Newkirk on behalf of the United  
25 States.

1           Q     (By Mr. Newkirk) Ms. Johnson, thanks so much  
2     for your time. I know we've covered a lot of ground.  
3     I'll do my very best to not repeat any questions that  
4     have been asked already, so this might seem a little  
5     disjointed more so than the others. So I will just go  
6     ahead and dive in.

7                 So earlier this morning you were describing a  
8     couple of the organizations that you're a part of.

9           A     Uh-huh.

10          Q     And just -- do you mind reminding me? There  
11     are two organizations, Republican Women -- do you mind  
12     just reminding me what they are?

13          A     Galveston Republican Women and Texas Gulf Coast  
14     Republican Women.

15          Q     Gotcha. And how long have you been a member of  
16     the Galveston Republican Women?

17          A     Off and on since I first ran for office in  
18     2004.

19          Q     Okay. And do you hold any positions in that  
20     organization?

21          A     No, I do not.

22          Q     And in that role as a member of Galveston  
23     Republican Women, do you ever interact with any member or  
24     past or former -- past, former or present member of the  
25     commissioners court?

1           A     There are frequently different ones that will  
2 attend the meetings occasionally, yes.

3           Q     Okay. And when you see them at these meetings,  
4 do you ever talk to them?

5           A     Yes, but typically not county business.  
6 There's too much activity going on and it just wouldn't  
7 be appropriate for us to talk shop there.

8           Q     Okay. So have you ever discussed redistricting  
9 at all?

10          A     Not at any of those meetings that I recall.

11          Q     Okay. How long have you been a member of the  
12 Gulf Coast Republican Women?

13          A     Texas Gulf -- it was created about a year and a  
14 half -- well, actually, it was created in late 2019, and  
15 so I joined at that time.

16          Q     Do you hold any positions in that organization?

17          A     No, I do not.

18          Q     In that role as a member of that organization,  
19 do you interact regularly or at all with any past, former  
20 or present members of the commissioners court?

21          A     No, and I don't actually specifically  
22 remember -- unless they were speakers, I don't ever  
23 recall them even attending the meetings.

24          Q     All right, thank you. I'll be shuffling a  
25 lot --

1 THE REPORTER: I'm sorry, I didn't hear that.

2 MR. NEWKIRK: Sorry, Ms. Carter. I just said  
3 I'll be shuffling my papers a lot, so you might hear some  
4 ambient noise, but apparently you didn't hear it.

5 Q (By Mr. Newkirk) So Ms. Johnson, you were first  
6 elected to county office in 2004, correct?

7 A Yes, sir.

8 Q And did you have a primary election that year?

9 A Well, I had a primary election, but I had no  
10 opponent.

11 Q And did you have a general election opponent?

12 A Yes, I did.

13 Q What made you first decide to run in 2004?

14 A I had been asked in 2002 to run by  
15 Commissioner Clark when the seated tax assessor-collector  
16 stepped down, and it was the different parties that were  
17 appointing the person that was going to run in November  
18 to fill an unexpired term. And so he first -- was the  
19 first person who ever asked me to run in the position,  
20 and I was not selected to run in that November election,  
21 but it stayed kind of in my mind. I watched the elected  
22 tax assessor-collector who did win that race, and made a  
23 judgment decision in 2004 that I could do a better job.

24 Q What was it like to run county-wide as a  
25 Republican in 2004?



1           A     Very difficult. At that point in time, there  
2     were no county-wide elected Republicans, and so Judge Cox  
3     and myself and a gentleman ran for sheriff, so there were  
4     three of us that were basically running together during  
5     that campaign. We were received very well, but we -- we  
6     just went to the people and ran very grass roots  
7     campaigns.

8           Q     I'm sorry, who is Judge Cox?

9           A     Judge Lonnie Cox. He's the judge of the 56th  
10    District Court. We were on the same ballot at the same  
11    time.

12          Q     So the office he was running for was for that  
13    office --

14          A     Yes.

15          Q     -- or for county judge?

16          A     For district judge, state district judge.

17          Q     When you were running in 2004, did you have a  
18    campaign staff?

19          A     Myself and my husband and my two children.

20          Q     Did you hire any outside consultants?

21          A     No, I did not.

22          Q     Did you have interns, unpaid interns?

23          A     I wish. No -- but no, I did not.

24          Q     Volunteers?

25          A     Yeah -- yes, many volunteers.

1 Q Roughly how many volunteers?

2 A Very active, probably about 25 in different  
3 parts of the county.

4 Q Was it a pretty wide geographic dispersal of  
5 your volunteer base?

6 A Yes.

7 Q Were there any areas you felt like they were  
8 not from or representing or bringing energy to your  
9 campaign?

10 A Probably Bolivar Peninsula, because it was just  
11 remote.

12 Q Moving forward to your first reelection  
13 campaign -- which would have been in 2008; is that  
14 correct?

15 A Yes.

16 Q Did you have a primary opponent that year?

17 A No, I did not.

18 Q Did you have a general election opponent?

19 A Yes, I did.

20 Q What was your general election campaign  
21 strategy in 2008?

22 A To continue the progress that we had made.  
23 I've always run on the exact same platform, even to this  
24 day; increase service, reduce costs, fight for tax --  
25 property tax relief. And so I ran on having fulfilled

1       those promises with more to be done.

2           Q     And going back in time a little bit to 2004,  
3       did you hold campaign events?

4           A     Oh, yes.

5           Q     What sort of events?

6           A     One of them that was a particular passion of  
7       mine and I continued for several years was Tax Freedom  
8       Day celebration. So the day in April or May, depending  
9       on when federal taxes were, you know, you finally reach  
10      the point you were working for yourself instead of the  
11      government, we always -- I used to do a soup and bread  
12      celebration. We were all broke. It was kind of fun.

13          Q     Where -- where was that soup and bread  
14      celebration located?

15          A     Wherever I could find inexpensive locations.  
16      We held it once at the Gulf Greyhound Park in their large  
17      banquet room. I think I also held it at a -- in a  
18      shopping center. I don't remember specifically which one  
19      of the stores that we were in, but the least expensive  
20      places that I could find.

21          Q     And where geographically in the county?

22          A     Mid-county. Those were very much mid-county,  
23      so La Marque, Texas City area.

24          Q     Gotcha. And how many folks were present  
25      typically at these events, at the soup and bread

1 celebration?

2 A Yeah, anywhere from 25 to a hundred.

3 Q As part of your general election campaign, did  
4 you attend community events?

5 A Yes.

6 Q What sort of community events?

7 A Every single one that I could find.

8 Q Can you give a few examples?

9 A Every chamber luncheon, every chamber  
10 networking event. Those were typically in the morning.  
11 Mixer in the evening. I predominantly tried to attend  
12 community events. Kemah would have different events. I  
13 would go to Mardi Gras parades, 4th of July parades. I  
14 tried to spend as much time out and about in the  
15 community where the people were, so fall festivals in --  
16 like in Santa Fe. La Marque, I would go to Oktoberfest  
17 on the island. So really any place where there was  
18 something going on. The oyster cookoff in Crystal Beach  
19 was always -- or Port Bolivar was always a favorite. So  
20 really, any place where there was something going on.

21 Q You had said "Kemah." What is Kemah?

22 A Kemah is a community on the coast, on the  
23 water, not too far from where we're at right now.

24 Q Is that a...

25 A It's a city.

1 Q Oh, okay.

2 Did you engage with voters outside of these  
3 events through things like door-knocking or canvassing  
4 and passing out campaign literature, things like that?

5 A Yes, sir.

6 Q Did you target certain parts of Galveston  
7 County as areas where you could get the most votes?

8 A I went anywhere where there were people.

9 Q And any parts of the county where you didn't go  
10 to not get any -- let me rephrase.

11 Were there parts of the county that you ignored  
12 on the campaign trail for whatever reason?

13 A I can't say so. I -- there were 13 cities in  
14 Galveston County, and so I tried to make a point of  
15 attending events in each one of those cities, whatever  
16 events they were holding.

17 Q Since your first election in 2004 and your  
18 subsequent reelections in 2008, 2012, 2016, 2020, have  
19 you found your campaign strategy to remain consistent?

20 A Yes. During those time periods where I was not  
21 opposed, I would attend community events but far less,  
22 did not block walk or actually do any campaign  
23 activities, although we would still put up signs.

24 In 2020, it was the first time I had a primary  
25 opponent, so I targeted the Republican primary list of

1 voters. That was different for me. And really, I --  
2 so -- so that was -- that was very different for me,  
3 because I've never targeted Republican or Democrat. I've  
4 asked for everybody to support me.

5 Q Any other reasons why that was different for  
6 you?

7 A Other than the fact that I had a -- somebody  
8 that I had once considered a friend running against me,  
9 no, that was -- it was unusual to me to have a Republican  
10 running against a seated Republican incumbent who I felt  
11 was doing the job.

12 Q In 2012, did you have a general election  
13 opponent?

14 A No, I did not.

15 Q In 2016?

16 A I wasn't on the -- I think it was -- oh, wait a  
17 minute. So 2012, 2016, no, I had no opponent. So I went  
18 a couple of times without an opponent at all.

19 Q And in 2020, did you have a general election  
20 opponent?

21 A No, I did not.

22 Q What areas of Galveston County do you consider  
23 to be your basic support?

24 A Galveston Island for sure. Friendswood, when I  
25 look at the numbers, because that's where I live, about

1 82 percent of the voters there have always supported me.  
2 League City, there's a large number of people, but it has  
3 grown so much that I predominantly would stick to the  
4 older parts of League City rather than the newer parts of  
5 League City, because those people knew me because I'd  
6 been in office for a while, rather than new residents who  
7 did not. Kemah, Clear Lake Shores, Texas City,  
8 Dickinson. So really, a little bit of everywhere.

9 Q When you were talking about old versus new  
10 League City, can you talk a little bit more -- are you  
11 referring to length of residency or --

12 A No, it's more the way the development occurred.  
13 On the east side of I-45 is basically the older sections  
14 of League City, and that's part of where we are right  
15 now, although we're -- we're further out into the South  
16 Shore Harbour area. And then the west sections of League  
17 City are where most of the new development has occurred.

18 Q And you believe that your bases of support has  
19 remained pretty consistent over time or --

20 A I'd say it has, yes.

21 Q Can you pull up -- I actually have a hard copy  
22 if you prefer.

23 A Oh, I prefer a hard copy. Thank you.

24 Q This was previously marked as Exhibit 2, I  
25 believe, but I also have it here --

1 THE REPORTER: Sorry, I'm not hearing you. It  
2 was marked as Exhibit what?

3 THE WITNESS: 2.

4 MR. NEWKIRK: 2.

5 Q (By Mr. Newkirk) Ms. Johnson, I know we've  
6 looked at this email for quite a bit of time. I just  
7 have a couple quick follow-up questions.

8 Looking down at the second paragraph, there is  
9 a phrase in the second sentence -- I'll just go ahead and  
10 read the second sentence.

11 A Yes, please.

12 Q "Implementing these plans is a challenge,  
13 particularly since there is no coordinated effort." Did  
14 I read that correctly?

15 A Yes, sir.

16 Q What did you mean by "coordinated effort"?

17 A There was no single person -- and I think that  
18 I was hoping to be that person -- who was pooling all the  
19 different pieces together. So we had county  
20 commissioners doing their own thing, and we had the  
21 Dickinson ISD and Hitchcock ISD and the Texas City ISD  
22 school boards doing their own thing. And so we had --  
23 what I was hoping to do was pool all those various pieces  
24 together and there be a more organized effort and that  
25 would simplify our implementation.



1 Q And in your opinion, would this process of  
2 centralizing -- simplifying take a large degree of  
3 planning and time on your end?

4 A If there was not a coordinated effort, yes,  
5 there could be, and there -- there certainly was. There  
6 was not really any coordination that occurred.

7 Q Was this recommendation -- suggestion about  
8 coordinating efforts based on your experience in past  
9 redistricting cycles?

10 A Yes.

11 Q Was -- can you explain a little bit more what  
12 happened that caused you to make this suggestion?

13 A In 2011, I did not even know what single member  
14 districts we were going to have to implement. I was not  
15 that familiar with all the different governments and when  
16 their decisions may or may not be made or -- so in 2021,  
17 knowing everybody who was affected, all the different  
18 governments, as I said, I tried to pool those together so  
19 that we could have some common boundaries and so forth.

20 Q As far as you know, did the commissioners take  
21 this advice?

22 A To my knowledge, they did not take my advice.

23 Q Without speculating, do you know why not?

24 A No, I really don't.

25 Q In 2013, do you recall a redistricting process

1 that occurred at the JP and constable districts?

2 A I recall in 2011 that there was a combination  
3 that they were -- the eight were combined. Is that what  
4 you're referring to?

5 Q I'm referring to the process in 2013.

6 A There was a process in 2013?

7 Q I'll represent to you that there was a  
8 redistricting process for JP and constable districts in  
9 2013.

10 A Okay. I had assumed that that occurred in 2011  
11 when everything else was changed.

12 Q Okay. I was going to ask if you had any  
13 difficulties with that redistricting process in 2013.

14 A It would have been difficult because we were  
15 taking eight and taking it down to four, which meant  
16 combining, changing every single entitlement for all the  
17 affected voters. And we had no technology then that we  
18 could take large areas and move them at one time.

19 Q Is it fair to say that this particular  
20 recommendation that you flagged about coordinating, that  
21 is a separate issue that --

22 THE REPORTER: I'm sorry, could you speak up,  
23 please?

24 MR. NEWKIRK: I am so sorry, Ms. Carter.

25 Q (By Mr. Newkirk) So my question -- I'll just

1 rephrase it. Ms. Johnson, is it fair to say that the  
2 recommendation that I flagged here about not coordinating  
3 is a separate issue that -- from the JP constables going  
4 from eight to four?

5 A Yes.

6 Q Okay. Ms. Johnson, do you see in the second  
7 paragraph in -- in the second-to-last line, you reference  
8 in quotation marks "dot" precincts?

9 A Yes, sir.

10 Q What is a dot precinct?

11 A It would be an additional precinct that was  
12 created because you were not -- the redistricting does  
13 not allow, say, a state representative to -- or two state  
14 representatives to represent the same precinct. So dot  
15 precincts were created to break out to create separation,  
16 so that, for instance, House District 22 -- 23, we could  
17 run a complete list of whole precincts, and the dot  
18 precincts became an additional like subprecinct.

19 Q I see. So it would always be smaller than  
20 the --

21 A Much smaller, yes.

22 Q Okay. I understand.

23 Going down to the third paragraph here, we have  
24 combed over this language a time today, but I just wanted  
25 to ask a couple things. I'll just read this.

1 "Therefore, I reached out to all of the officials,  
2 including Judge Henry -- not for the purpose of having  
3 any impact on your decisions (except for JP and  
4 Constable) but to be included from the standpoint of  
5 providing input on whether certain proposed plans would  
6 be better planned differently." Did I read that  
7 correctly?

8 A Yes, sir.

9 Q When you say -- or when you say "provide  
10 input," can you describe to me what you mean by "input"?

11 A That they change entire precincts rather than  
12 split or combine. That if they're going to split, that  
13 they use the natural boundaries so it clearly -- so we  
14 could clearly identify different streets and entitlements  
15 for the individual voters living in those areas.

16 Q What are some other issues that arise when a  
17 voting precinct or election precinct is split?

18 A What we have to do is take the entire original  
19 precinct and define which streets go into what -- which  
20 new voting precinct. So we might -- so there could be  
21 anywhere from 200 to a thousand streets and entitlements  
22 within that precinct that we're having to separate. So  
23 it's just a very tedious, cumbersome process, and just  
24 takes a long time and leaves a lot of room for error.

25 Q Going down to the sixth paragraph of this

1 email, you write at the end of the first line, "It is  
2 relatively easy for me to know when you will meet to  
3 discuss redistricting -- not so much the other entities."

4 Did I read that correctly?

5 A Yes, sir, you did.

6 Q What is the basis of your belief that it would  
7 be relatively easy for you to know when the commissioners  
8 court is discussing redistricting?

9 A I'm on the distribution list for agendas, and  
10 so I receive that and my staff receives it.

11 Q Not so much of the other entities, though?

12 A Right.

13 Q Okay. At the end of this paragraph, you write,  
14 "I hope to avoid the use of costly contractors and  
15 implement the redistricting plans in-house." Did I read  
16 that sentence correctly?

17 A Yes, you did.

18 Q Earlier this morning we were discussing what it  
19 means to plan things in-house, and I think you had  
20 referenced Galveston Island in 2011 --

21 A Yes.

22 Q -- you had to use outside vendors. Is that  
23 what you were talking about here?

24 A Yes.

25 Q So you're not talking about the demographers or

1 the map drawers who actually draw --

2 A No. No.

3 Q Okay. Will you pull up -- this was already  
4 introduced as Exhibit 5, so there's a hard copy. I  
5 wanted to find that --

6 THE REPORTER: I'm sorry, I'm not hearing you.

7 MR. NEWKIRK: Sorry, Ms. Carter. I said we're  
8 going to pull up Exhibit 5, but I also have a hard copy  
9 that I'll distribute here. One moment.

10 A Thank you.

11 Q (By Mr. Newkirk) Again, this is a document,  
12 Ms. Johnson, that we've seen before. I just have a  
13 couple quick follow-up questions.

14 You see the email from May 20th, 2021, from you  
15 to Tyler Drummond, subject line "Asked and answered"?

16 A Yes, sir.

17 Q Looking at the second paragraph in this email,  
18 do you see where you note that the county -- I'm sorry,  
19 that "the county would have to take the lead"?

20 A Yes.

21 Q What did you mean by "county would have to take  
22 the lead"?

23 A So what my hope was is that they would identify  
24 their voting or election precincts so then that could be  
25 shared with the other jurisdictions and that any changes

1 | they would make, they would take entitle -- entire  
2 | precincts if they were going to make changes so that they  
3 | would consider those lines.

4 | Q At this point in May of 2021, did you believe  
5 | the county was going to take the lead or was that (audio  
6 | cutting out) at this point?

7 | A I was hoping -- of course, the legislature  
8 | needed to adopt the different federal and state  
9 | boundaries first, and then for them to follow that  
10 | after -- they would be the ones after that. So on a  
11 | local level, it would be my -- would've -- it was my  
12 | preference that they make their decisions first.

13 | Q As best as you can recall, did that end up  
14 | being the sequence of events?

15 | A I believe that the City of Galveston actually  
16 | adopted theirs before the county commissioners did.

17 | Q Looking at the timestamps of the email, this  
18 | one you sent to Tyler Drummond at 1:50 p.m. --

19 | A Uh-huh.

20 | Q -- you were forwarding an email received at  
21 | 1:48 p.m. Any reason in particular that it was so quick  
22 | that you forwarded --

23 | A I was so excited that the census bureau  
24 | actually responded to me.

25 | Q Had you been anticipating a response?

1       A     I really didn't expect them to respond, so I  
2       was very pleased.

3               MR. NEWKIRK: That's all I have on that  
4       document.

5       A     Could we pull up Exhibit 9 that has already  
6       been introduced? And again, I have a hard copy that I'll  
7       distribute. One moment.

8       A     Thank you.

9       Q     (By Mr. Newkirk) Ms. Johnson, again, this is a  
10      document we've reviewed before. This is an email you  
11      sent Tyler Drummond on Friday, October 22nd, at -- 2021,  
12      at 3:45 p.m., subject line, "Voters in County by  
13      Precinct," with one attachment, "Galveston County Voters  
14      by Precinct August 2021." Is that accurate?

15      A     Yes, sir.

16      Q     Flipping to Page --

17               THE REPORTER: I'm sorry, flipping to Page  
18      what?

19               MR. NEWKIRK: I'm sorry, Ms. Carter, I had a  
20      piece of paper over my face.

21      Q     (By Mr. Newkirk) Flipping the page to the  
22      attachment, do you see the date 8/13/21 at the top of  
23      these tables?

24      A     Yes, I do.

25      Q     Do you agree that Mr. Drummond requested this



1 information in October of 2021?

2 A Yes, based on my email.

3 Q Was this the most up-to-date data that you had  
4 that he was requesting from August?

5 A We could've run another list, but he apparently  
6 wanted the original list that I had sent to commissioners  
7 previously in August.

8 Q Do you recall if this was the first time  
9 Mr. Drummond requested the breakdown of registers voters  
10 from you or your office?

11 A I believe it may have been the only time that  
12 he requested it.

13 Q Did the timing of his request in October 2021  
14 surprise you, considering that you had previously thought  
15 redistricting was around the corner earlier that year?

16 A I didn't really consider that.

17 MR. NEWKIRK: Those are all the questions I  
18 have on that document.

19 Okay. I'll introduce an exhibit. Kathy, it's  
20 going to be saved in Exhibit Share as U.S. Tab 11. And I  
21 have a hard copy here.

22 MR. MUNK: Exhibit 17 has been introduced.

23 Q (By Mr. Newkirk) Ms. Johnson, if you want to  
24 just take a moment -- because we've not reviewed this  
25 document yet, just take a moment and tell me if you're

1 familiar with this email chain.

2 A Yes, I am.

3 Q Okay. Can you see the email -- well, actually,

4 I don't think we've talked about her yet, but who is

5 Kristi Saludis?

6 A She was the senior voter registration

7 specialist in my voter registration department.

8 Q When did she begin there?

9 A Oh, goodness. As I recall, six or seven years

10 ago.

11 Q And is she there still?

12 A No, she's not.

13 Q Do you see down in the email that she sent to

14 you dated 11/10/21, 8:45 a.m., where she writes, "There

15 is a" -- "There is a special Agenda for Friday,

16 11-12-2021"?

17 A Yes.

18 Q Was this the first time you learned about the

19 November 12th special session?

20 A I would say that that's very likely, although

21 the email that I sent on November 9th said, "I did not

22 see a posted meeting for today but they did post a

23 meeting for next week." I'm not sure that I saw that

24 specifically, but she did clarify that.

25 Q Do you see the most recent email in this chain

1 | when you asked Kristi Saludis, "Is that meeting in League  
2 | City?"

3 | A Yes.

4 | Q Why did you ask whether the meeting was in  
5 | League City?

6 | A The county commissioners meet typically in the  
7 | county courthouse on the island. They frequently hold  
8 | special called meetings in League City, the League City  
9 | Annex Building. And so without having seen that agenda,  
10 | I would not known -- have known where the meeting was to  
11 | be held.

12 | Q Did you think it might be held in Galveston in  
13 | the courthouse?

14 | A On Fridays, they rarely drive to Galveston  
15 | Island. They're frequently in League City if they have a  
16 | meeting outside of the regularly scheduled meetings.

17 | Q Are special meetings always held in League  
18 | City?

19 | A No, sir.

20 | Q Can they be held in other -- or can they be  
21 | held in Galveston, in the courthouse in Galveston?

22 | A Yes.

23 | Q In any other location that you're aware of?

24 | A I -- I don't know that they ever have, and I'm  
25 | not aware -- I don't know why they could not. They have

1 other buildings in different areas of the county.

2 Q How long have -- to the best of your memory,  
3 how long have special meetings been held in League City?

4 A Off and on, probably over the last four years,  
5 four or five years.

6 Q Do you know -- do you know, without  
7 speculating, what prompted the development of special  
8 meetings in League City?

9 MS. OLALDE: I'm going to object and ask the  
10 witness not to speculate.

11 Go ahead.

12 THE WITNESS: Oh, I can answer that?

13 MS. OLALDE: Uh-huh.

14 A I don't know specifically.

15 Q (By Mr. Newkirk) Have you ever attended a  
16 commissioners court meeting in League City?

17 A Yes, I have.

18 Q Could you describe the meeting space?

19 A It should -- the only one that I have -- well,  
20 no, there's two locations. They used to be in the old  
21 League City Annex, which is now being renovated. And the  
22 most recent one that I attended, those would be held in  
23 Judge McCumber's court, and there was seating for  
24 probably 35 people. And the space they're using now,  
25 Judge McCumber's court is in a temporary building while

1 the renovation's underway, a far less comfortable space.

2 Q In which of the locations that you just  
3 described is the one on Calder Road?

4 A They're both on Calder Road.

5 Q Oh, okay. Do you happen to know -- scratch  
6 that.

7 Have you ever attended a commissioners court  
8 meeting at the courthouse in Galveston?

9 A Yes, I have.

10 Q Can you describe that meeting space?

11 A They actually have a formal courtroom-type  
12 setting with a dais where they sit, speakers, seating.  
13 Since COVID, half the amount of seating. That they have  
14 a lot of audiovisual equipment there that makes it really  
15 comfortable for people, good sound equipment, so forth.

16 Q And that audiovisual equipment is not available  
17 in League City?

18 MS. OLALDE: Objection, calls for speculation,  
19 also overbroad.

20 Go ahead.

21 A I believe that IT brings that -- that equipment  
22 with them and sets it up.

23 Q (By Mr. Newkirk) Did you ever learn about the  
24 size of the attendance at the November 12th special  
25 session when the commissioners court maps -- map was

1       adopted?

2               A       I saw minutes of that meeting last week that

3       had a list of people who had spoken at that meeting.

4       That was the first time I had seen that.

5               Q       Did the length of that list surprise you or

6       not?

7               A       Not necessarily.

8               Q       I believe that's all I have on this.

9               MR. NEWKIRK: I'd like to introduce another

10       exhibit. Kathy, it's saved as U.S. Tab 12. And again, I

11       have hard copies for folks here.

12              A       Thank you.

13              Q       (By Mr. Newkirk) Ms. Johnson, you see that this

14       is an email exchange between Nathan Sigler and you dated

15       Friday, November 12th, 2021, at 12:32 p.m., and there are

16       two attachments?

17              A       Yes, sir.

18              Q       Do you recognize this document?

19              A       I -- I do.

20              Q       And do you see where he writes, "Here are the

21       breakdown lists as requested"?

22              A       Yes, I see that. Yes.

23              Q       Do you recall when you requested those lists?

24              A       I'm not sure whether I requested them or if

25       Ms. Moreno requested them. Obviously, we had not had

1       them before this time. I don't remember specifically  
2       requesting them myself.

3           Q       Turning to the attachment -- or attachments,  
4       plural, can you go to the one with the number at the  
5       bottom right that says DEFS00020460?

6           A       Yes. Yes, sir.

7           THE REPORTER: Excuse me, while she's turning  
8       to that page, the page-flipping is right on the  
9       microphone and your voice is very far from the  
10      microphone, so I'm having a hard time picking up your  
11      voice, Mr. Newkirk.

12          MR. NEWKIRK: All right. I'll lean in some  
13      more.

14          Q       (By Mr. Newkirk) Ms. Johnson, at the very top  
15      of this page, do you see where it says 'Map 2'  
16      Commissioner Precinct By Current Voting Precincts &  
17      Splits"?

18          A       Yes, sir.

19          Q       Do you know what "Map 2" means?

20          A       It would've been one of the maps that they were  
21      considering.

22          Q       For commissioners court?

23          A       For commissioners court, yes. For commissioner  
24      precincts.

25          Q       And do you see where it says "If the Voting

1 Precinct has 'A' at the end it is a split Precinct"?

2 A Yes.

3 Q Can you describe what this chart shows us?

4 A From my perspective as the implementer of these  
5 plans, that would tell me, based on these plans, the  
6 difficulty of the task. So under Commissioner  
7 Precinct 1, it has 336, has two precincts with As,  
8 meaning two precincts would have to be split, or all the  
9 rest may require -- as in the 336, 343 and 347 would only  
10 require a name change. So from my perspective, it  
11 communicates the complexity of the task.

12 Q And stepping back a little bit, the numbers --  
13 the three-digit number, that's simply the name of the  
14 voting precinct?

15 A Yes.

16 Q Earlier today you talked about how the first  
17 digit refers to the commissioner's precinct --

18 A Yes.

19 Q -- correct? Do the other numbers, the other  
20 two digits, have any meaning to them?

21 A I do not believe they do. I'm not certain.

22 Q Okay. So it doesn't mean, for example, that  
23 they're close geographically together?

24 A No.

25 Q So 150 and 151 could be across, you know, the



1 street or --

2 A Yes.

3 Q -- (indiscernible).

4 A As far as I know I'm not aware of any  
5 particular -- it was just the order over time that  
6 they've evolved.

7 Q Looking, for example, at this first column,  
8 Commissioner's Precinct 1, about halfway down, you see  
9 165.1?

10 A Yes, sir.

11 Q What does that .1 mean? Is that one of those  
12 dot precincts?

13 A That's one of those dot precincts, yes, sir.

14 Q And can you describe, how is that different  
15 from one that has an "A" after it?

16 A It would be much smaller. So a 165-A would've  
17 originally been part of 165, but a portion, a sliver or  
18 whatever, was changed to accommodate the -- whatever  
19 elected official that that was set up for. Typically  
20 they're very small, where the other ones are entire  
21 precincts of anywhere from 500, I guess, to 5 or 6,000  
22 voters.

23 Q Looking at the column Commissioner Precinct 2,  
24 I see a couple of dot precincts. One of them says 232.1,  
25 and another says 232.3. Does the number coming after the

1 decimal place have any meaning?

2 A Not to my knowledge. My -- without looking at  
3 a map, it would probably mean they're on -- in different  
4 parts of the precinct. So the dot 1 might be on one side  
5 of it and dot 3 would be on the other side of the whole  
6 precinct, although I don't see a 232. Yes, I do,  
7 under 4.

8 Q Do you mind flipping the page to -- to what  
9 ends in 458?

10 A Okay.

11 Q And we see that this is titled "'Map 1'  
12 Commissioner Precinct By Current Voting Precincts &  
13 Splits," correct?

14 A Yes, sir.

15 Q Can you describe what this chart shows us and  
16 if it differs in any significant way from the one we were  
17 just looking at?

18 A Without putting them side by side, it's --  
19 there's -- I would guess that there's certain changes --  
20 there's certain precincts that are included in some of  
21 these lists that are in the other commissioner precincts  
22 on the other list. It looks like there's more in  
23 Precinct 3, more individual precincts in Precinct 3 than  
24 there were on the other map, and fewer for the other  
25 commissioner precincts.

1           Q     Thank you. That's all I have for this  
2     document.

3           MR. NEWKIRK: I'd like to now introduce an  
4     additional document. I saved this on Exhibit Share as  
5     U.S. Tab 13.

6           THE WITNESS: Thank you.

7           THE REPORTER: While he's getting that pulled  
8     up, could we go off the record, please?

9           MR. NEWKIRK: Sure.

10          THE VIDEOGRAPHER: Okay. Current time is now  
11     4:49 p.m. We're now off the record.

12          (Recess.)

13          THE VIDEOGRAPHER: Current time is 4:57 p.m.  
14     We're now back on the record.

15          Q     (By Mr. Newkirk) Okay. So we're looking at  
16     what was marked as U.S. Tab 13 -- it's now an exhibit --  
17     and you've had a chance, Ms. Johnson, to take a look at  
18     it. Do you recognize this document?

19          A     Yes, I do.

20          Q     And you agree that this is an email sent from  
21     you sent to Nathan Sigler on Monday, November 15th, 2021,  
22     with a subject line "Precinct List with Lots of Info"?

23          A     Yes, sir.

24          Q     We were also taking a look at the attachments.

25          A     Yes, sir.

1 Q I also have a printed copy of the original.

2 It's not as easy to see, but I left that --

3 A (Indiscernible.)

4 Q Okay. So first looking at the body of the  
5 email, which is on the document titled -- or I'm sorry,  
6 with Bates stamp Number DEFS00016754, do you see the  
7 first sentence that you wrote, "Attempted to compile all  
8 of the various pieces based on our discussions in your  
9 previous Map 2 listing"?

10 A Yes, sir.

11 Q Do you mind taking me through the discussions  
12 that you're referring to here with Mr. Sigler, how many  
13 there were, when were they, to the best of your memory?

14 A Looking at the time of this email, I -- I  
15 really don't recall. I would imagine that those  
16 conversations took place throughout the day on that  
17 Monday.

18 Q Would any of them, to the best of your  
19 recollection, have occurred before November 12th, 2021?

20 A I -- I don't know. Nathan and I spoke to each  
21 other often, but based on the fact that the commissioner  
22 precincts were adopted on that Friday, it is very likely  
23 that this was the result of discussions to try and  
24 implement that which was voted on.

25 Q In the last paragraph where you write, "You had

1 mentioned 232.1 and 232.3 may merge into 225. Doing that  
2 would create a 5,400 voter precinct."

3 A Yes, sir, I see that.

4 Q By "5,400 voter precinct," do you mean a  
5 precinct with 5400 voters?

6 A Yes, sir.

7 Q What are some consequences to you and your team  
8 if a precinct has 5400 voters?

9 A It's common knowledge or knowledge that we  
10 just, I guess, acquired through the years that each  
11 precinct was supposed to be about the same size and that  
12 5,000 was the maximum number of voters that should be in  
13 a voting precinct. So that exceeded -- that if they  
14 combined those, that would exceed that number.

15 Q Do you know, is that 5,000 number custom or is  
16 that set by state law or something?

17 A I believe that's established in state law.

18 Q Moving towards the attachment, we have the  
19 sheet titled County Commissioner Precincts -- (audio cut  
20 out).

21 A Yes, sir.

22 Q Do you agree that two tables appear on this  
23 sheet?

24 A Yes, sir.

25 Q Looking at the table on the left, do you mind

1 going through each column and telling me what each column  
2 means?

3 A The former CC precinct would have been the  
4 former county commissioner precinct. The former precinct  
5 number then was the number of that former county  
6 commissioner precinct. The change to county commissioner  
7 precinct is specifying, based on those maps, which county  
8 commissioner precinct it would be changed to, that former  
9 precinct. Changed to precinct number, the assumption is  
10 made that we would change just the first digit, which  
11 would be, in this instance of Line 1, 103 from Precinct 1  
12 would move to Precinct 2 and become 203. And then the  
13 number of voters in Precinct 103 on November 15th was --  
14 that's the number of voters on that date when the list  
15 was generated. And then the current total voters in  
16 precinct to be split is just another information column  
17 where if there was a precinct that they were anticipating  
18 split, what the number of voters were in the original  
19 precinct.

20 Do you want me to -- you were just interested  
21 in the left-hand side?

22 Q Yeah, for now. Thank you.

23 A Okay.

24 Q That was incredibly helpful.

25 You anticipated my next question by running

1 through the first row --

2 A Uh-huh.

3 Q -- and identifying what each cell means. Going  
4 down a little bit, do you see that the number 205 and  
5 205.1 are highlighted?

6 A Yes, sir.

7 Q Do you know why they're highlighted?

8 A I don't recall why they're highlighted. I was  
9 looking to see if I can see that anywhere else. Not  
10 specifically, no. I don't give a key here to explain it.

11 Q Do you know why a full row, moving down a  
12 little bit, is fully highlighted?

13 A The next one that's highlighted is Precinct  
14 1-152 that they were discussing splitting. And so not  
15 knowing what that new named precinct would be, I had two  
16 lines there. So if they were discussing splitting  
17 Precinct 152, we would not know what the change in the  
18 number would be, if there would be one at all, or if it  
19 would be a new added precinct and to-be-decided name.

20 Q And could you tell me why underneath that 152  
21 there's a cell that's blank? Why is that blank?

22 A Because when they split, there was no former  
23 county commissioner precinct. It -- it would be assumed,  
24 if they were splitting 152, that those were former  
25 Precinct 152. But since the precinct didn't actually

1 exist with a new number, would be unspecified.

2 Q Going down a little bit further to the second  
3 highlighted row.

4 A Uh-huh.

5 Q You see underneath the 155, that's blank. But  
6 also underneath a column saying "No Change," the cell  
7 underneath that one is blank for that particular row. Do  
8 you see where I'm pointing?

9 A Yes, sir.

10 Q Do you know why that "No Change" -- the cell  
11 underneath where it says "No Change" is left blank?

12 A Probably because all of the second ones that --  
13 there are -- they are changing -- well, like they weren't  
14 necessarily changing. It would be creating likely a new  
15 number. So probably all of those should have been blank.  
16 So the one that says "No Change" above it should have  
17 been blank and the one below it that says "No Change"  
18 should've been blank, because we didn't -- we knew it was  
19 going to be something, but we didn't know what it was  
20 going to be.

21 Q Going down one row, you see a number zero in --  
22 it's no longer highlighted, but it's --

23 A Yes.

24 Q -- former Precinct Number 155.1 and then  
25 there's a number zero --



1 A Yes, sir.

2 Q -- in a couple of columns. Do you know why  
3 that -- or do you know what that zero signifies?

4 A That there were no registered voters in that --  
5 in that dot precinct on that date.

6 Q Gotcha. So to summarize, is it fair to say  
7 that the highlighted rows mean more or less that  
8 the (audio cutting out) --

9 A Split or combined.

10 Q (Audio cutting out) or combined.

11 THE REPORTER: I'm sorry. I'm sorry, your  
12 audio is cutting out and I -- could you please repeat the  
13 last question?

14 MR. NEWKIRK: I asked, is it fair to say that  
15 the highlighted rows mean that a precinct is going to be  
16 split. Then Ms. Johnson responded split or combined.

17 Q (By Mr. Newkirk) Ms. Johnson, if you could go  
18 to that other table titled "Old Precincts Available in  
19 TEAM."

20 A Yes.

21 Q Can you tell me what this table is all about?

22 A So these are all the precinct numbers that at  
23 some point in time in Galveston County's history have  
24 been used. And so this would present a list of possible  
25 precinct numbers that the commissioners could use when

1       they were splitting precincts and creating a new  
2       precinct. They could have used others, but these have  
3       actually existed in the system.

4           Q     Is there a benefit to using a number that's  
5       been in the system before?

6           A     Not necessarily, no, because then that -- you  
7       run out of numbers.

8           Q     And some values have decimals. We've talked a  
9       bit about dot precincts, but some have values that end,  
10      for example, in .02. Does that have any significance?

11          A     No. It was a naming convention, and I can't  
12      tell you why they were -- some of them were .1 and some  
13      of them were .01. It was just the way they were named at  
14      the time.

15               MR. NEWKIRK: That's all the questions I have  
16      on this document. I am nearly done.

17               I'd like to introduce, Kathy, U.S. Tab 14.

18          Q     (By Mr. Newkirk) Ms. Johnson, do you recognize  
19      this email?

20          A     Yes, I do.

21          Q     And you agree that this is from you to a  
22      variety of people, Kristi Saludis, Stephanie Berry,  
23      George Ott and Kathleen Moreno, dated Friday, November  
24      19th, 2021, correct?

25          A     Yes, sir.

1 Q We already identified Kristi Saludis. Who's  
2 Stephanie Berry?

3 A She was the -- one of the voter registration  
4 specialist.

5 Q George Ott?

6 A He was also a voter registration specialist.

7 Q Okay. And looking at the bottom of the email,  
8 you write, "Per Commissioner Clark, we are good to  
9 proceed with the following county precinct changes." Do  
10 you agree?

11 A Yes, sir.

12 Q And by "county precinct," you're referring to a  
13 voting precinct; is that --

14 A Yes, sir.

15 Q Were you in contact with Commissioner Clark  
16 before you sent this email?

17 A Yes.

18 Q Do you recall how soon before you sent this  
19 email you were in contact with him?

20 A Earlier in the day would be my guess. This is  
21 sent in the afternoon, and so likely he and I had a  
22 conversation sometime before that. It would've taken me  
23 a little bit of time to put this together.

24 Q Was his approval necessary to make changes to  
25 the voting precincts?

1 MS. OLALDE: (Indiscernible) -ation.

2 You can answer.

3 A Not specifically his approval, although he was  
4 the lead commissioner on all of the changes that were  
5 underway. I was trying to get some confirmation that we  
6 were good to proceed with the naming conventions that had  
7 been discussed. And I wanted that documented that he had  
8 given us permission to proceed with these changes.

9 Q (By Mr. Newkirk) If you were trying to look for  
10 confirmation, is there anyone -- anyone better than  
11 Commissioner Clark for that purpose?

12 A There was nobody better for that purpose, no.

13 Q You said he was the lead commissioner on these  
14 issues. Was that a official role that he had, or was it  
15 sort of an unofficial role?

16 A I believe it was a role that he happily  
17 assumed.

18 Q In this email, you also say, "I will send the  
19 spreadsheet to print and use when making changes in  
20 auditing. It will be our audit trail."

21 A Uh-huh.

22 Q Do you see that? Can you describe -- I guess  
23 rather, was there an auditing process?

24 A Yes, sir.

25 Q And how often did that process happen?

1           A     Continuously throughout the changes. Any time  
2     a change was made, we had an auditor or somebody standing  
3     by ready to confirm that everything changed properly.

4           Q     Besides voting precinct changes, what else, if  
5     anything, did the audit cover?

6           A     To some extent, that entitlements were  
7     appropriate and that they had all come over correctly.  
8     It was a list very similar to this that had an additional  
9     column that the -- two additional columns, likely, change  
10    made by who, and then audited by who.

11          Q     Who performed that audit?

12          A     Various people in the office. Sometimes it was  
13    members of -- that are -- people that are listed on this.  
14    Ms. Saludis was predominantly making the changes, with  
15    Ms. Berry and Mr. Ott doing a lot of the auditing, along  
16    with Ms. Moreno and other staff members.

17          Q     So it was an internal audit?

18          A     Yes, sir.

19          Q     Oh, okay.

20                 Looking at the table that you attach to this  
21    email, this looks similar to the exhibit that we are just  
22    looking at. Do you agree?

23          A     Yes, sir.

24          Q     Do they mean the same thing?

25          A     Yes, sir.

1           Q     We've run through all the columns, or you did,  
2     rather.

3           A     Yes.

4           Q     Looking down on third page, DEFS0001708, column  
5     marked Former Precinct Number, it looks like Precinct 336  
6     is not in that column. This would be about a little past  
7     halfway down.

8           A     Yes, sir.

9           Q     Do you agree that you don't see Precinct 336  
10    there?

11          A     I don't see Precinct 336 there.

12          Q     Do you agree that Precinct 336 was split in the  
13    fashion of the commissioners court map?

14          A     I would have to refer to the other documents.

15          Q     Okay. Do you happen to know why Precinct 336  
16    does not appear on this list?

17          A     Either it didn't exist or these were simple --  
18    these were county precinct changes that we could make  
19    without further action, former action -- formal action by  
20    anybody.

21          Q     Thank you.

22                 MR. NEWKIRK: That's all I have on this  
23    document. I have three more documents and then we'll be  
24    done.

25                 Can I introduce what's marked on Exhibit Share

1 as U.S. Tab 15, Kathy?

2 Q (By Mr. Newkirk) Ms. Johnson, do you recognize  
3 this email?

4 A Yes, sir.

5 Q Do you agree that it is between you and Paul  
6 McLarty, among others, November 12th and November 15th,  
7 2021?

8 A Yes, sir.

9 Q Beginning at the sentence of the -- I think we  
10 identified him earlier, excuse me, but can you remind me  
11 who Paul McLarty is?

12 A He was an official and, I believe, an assistant  
13 superintendent at (audio cutting out) ISD.

14 Q Okay.

15 THE REPORTER: I'm sorry. I'm sorry. The  
16 paper movement is interfering with the audio, and if I  
17 just miss a little piece of a sentence, I don't get what  
18 you're saying.

19 THE WITNESS: Do you need me to repeat what I  
20 said?

21 THE REPORTER: I got -- I missed a couple of  
22 words at the beginning of the question too. It's -- we  
23 might need to go back to the other audio system. This  
24 one's not really working very good.

25 MR. NEWKIRK: Do you mind reading back just

1        what you have? My question was basically who -- who is  
2        Paul McLarty.

3                THE REPORTER: I got that, and she said he is,  
4        and then there was a little paper noise and so I heard  
5        pieces of words, but I didn't hear the answer.

6                THE WITNESS: He is an official or assistant  
7        superintendent, had some decision-making role at Clear  
8        Creek ISD.

9                MR. NEWKIRK: All right, Ms. Carter, I'm not  
10       going to touch this paper.

11               Q        (By Mr. Newkirk) Ms. Johnson, reading the first  
12       sentence, you write, "You are likely sick of hearing from  
13       me but I have new information (it seems to have been  
14       changing hourly today but have something constant now)."  
15       Do you see that?

16               A        Yes, sir.

17               Q        What do you mean by "changing hourly"?

18               A        Commissioner Clark -- I remember during that  
19       time period where Commissioner Clark would make a  
20       decision and then he would change that de- -- he'd get  
21       with Nathan, and they'd come back with different  
22       information. And eventually, I think I stopped even  
23       making notes of what they were doing until they finally  
24       reached final decision.

25               Q        Final decisions about...



1 A Precinct names and so forth.

2 Q In your experience with redistricting, is it  
3 common to receive frequent updates to precinct names and  
4 conventions, or was this changing hourly unique to 2021?

5 A I had always been included at the very end of  
6 this, not in the middle. Because we had so little time,  
7 they were trying to give me as much information as they  
8 could so we could proceed, because there was going to be  
9 so much that we need to do in such a short time period.  
10 So they were trying to accommodate my request to let me  
11 change what I can so that then we can spend additional  
12 time doing more complicated work later. So I've never  
13 been included in this -- at this stage before and in the  
14 middle of -- of being provided information continuously.

15 Q I understand. And do you agree that this email  
16 exchange that we're looking at, but not touching, is only  
17 about CCISD?

18 A This was communicating to CCISD the areas that  
19 they needed to know what the precincts were going to be  
20 so that they could make decisions, the board.

21 Q But these are the voting precincts that are  
22 common to all --

23 A Yes, yes.

24 Q -- other entities?

25 A Well, they're -- as you recall, I was asking

1       these jurisdictions to try and change their boundaries in  
2       conformance with the county commissioner voting  
3       precincts, or the commiss- -- the voting precincts. And  
4       so Mr. McLarty was trying really hard to accommodate that  
5       request.

6           Q       And down at your email, you write, second  
7       paragraph, "Precinct 152 will be split down South Shore  
8       Harbor Boulevard. One portion will remain 152 and the  
9       other will receive a new number by November 29th." Do  
10      you see that?

11          A       Yes, sir, I do.

12          Q       What's the significance of November 29th?

13          A       At that point in time, that was the projected  
14      date that was being given to me where the final numbering  
15      conventions would be decided.

16          Q       How -- when did you learn that November 29th  
17      was going to be that -- the day that that happened?

18          A       At some point during the conversations with --  
19      with Commissioner Clark.

20          Q       So would you agree that he sets the date --  
21      that date?

22          A       Yes, that was the part --

23                  MS. OLALDE: Objection.

24                  THE WITNESS: Oh, I'm sorry.

25                  MS. OLALDE: Objection, that calls for (audio

1 cutting out).

2 A It's -- and he could very well have been  
3 speculating as well that that was the target date that  
4 they were trying to make this change.

5 Q (By Mr. Newkirk) Okay.

6 THE REPORTER: Could we go off the record,  
7 please? I'm sorry, could we go off the record, please?

8 THE VIDEOGRAPHER: Current time is 5:19 p.m.  
9 We're off the record.

10 (Recess.)

11 THE VIDEOGRAPHER: Current time is 5:21 p.m.  
12 We are now back on the record.

13 MR. NEWKIRK: Kathy, I think the last thing I  
14 said is I wanted to introduce U.S. Tab 16, but we could  
15 actually scratch that and just introduce U.S. Tab 17.  
16 And this will be my last exhibit.

17 MS. GARRETT: So I just did 16.

18 MR. NEWKIRK: Oh, okay. I think you can delete  
19 it on Exhibit Share.

20 MS. GARRETT: Okay.

21 A Are you done with this one?

22 Q (By Mr. Newkirk) Yes.

23 MS. GARRETT: Sorry, I'm going to need  
24 assistance from the concierge. The option to delete is  
25 shaded out, so I can't delete it.

1 MR. MUNK: Certainly. I'll go ahead and delete  
2 that for you right now.

3 MS. GARRETT: And can you just go ahead and add  
4 17 as Exhibit 23?

5 Q (By Mr. Newkirk) Ms. Johnson, have you had a  
6 chance to review this email exchange?

7 A Yes.

8 Q And you recognize it?

9 A Yes, I do.

10 Q And you agree that this is an exchange you've  
11 had with Nathan Sigler on October 26th and 25th of 2021?

12 A Part of an exchange was between Kathleen Moreno  
13 and -- and Nathan, and then I -- I was included, and I  
14 did comment.

15 Q Okay. I'm looking at the first page. You  
16 write to Mr. Sigler that he is the best and that he's  
17 very helpful and had a professional and timely response  
18 which made him a keeper, correct?

19 A Yes, sir.

20 Q And can you describe why you were very  
21 complimentary of Mr. Sigler?

22 A Nathan was essential to this process. When he  
23 saw the few tools that we had, he went out of his way to  
24 accommodate us to give us anything that he had at his  
25 disposal in order to make our job easier.

1 Q And based on your interactions with him, do you  
2 consider him very knowledgeable about the specific steps  
3 needed to implement a redistricting plan?

4 MS. OLALDE: Objection, calls for speculation,  
5 and also a legal conclusion.

6 But you can answer to the extent you're able.

7 A I think Nathan was very knowledgeable on his  
8 part of the process, which was creating the maps and  
9 geocoding the data. And then he became very aware of  
10 what we needed in order to proceed with our part of it.

11 MR. NEWKIRK: Thank you. I just need a quick  
12 second to make sure I got everything.

13 MS. OLALDE: Do you want to go off the record?

14 MR. NEWKIRK: I think I can do it in record  
15 time on the record.

16 (Discussion off the record.)

17 MR. NEWKIRK: Just one quick question.

18 Q (By Mr. Newkirk) I -- earlier, you had said  
19 that you ran into Commissioner Giusti at community  
20 events.

21 A Yes, sir.

22 Q Do you remember saying that? What sort of  
23 community events?

24 A Many of the elected officials get together  
25 every December and have a big dinner we throw for anybody

1 who wants to come. And so we all chip in a little bit  
2 and feed typically 4 to 600 people. And so we'd also see  
3 each other at Chamber of Commerce events and -- and  
4 that -- that was predominantly the local events that  
5 would be held in -- in his particular precinct.

6 MR. NEWKIRK: Those are all the questions I  
7 have, Ms. Johnson. Thanks --

8 THE WITNESS: Okay.

9 MR. NEWKIRK: -- so much for your time.

10 And apologies, Ms. Carter, for all the issues.

11 THE REPORTER: Thank you for working with me.

12 E X A M I N A T I O N

13 BY MS. OLALDE:

14 Q This is Angie Olalde. I just have one quick  
15 question for you, Ms. Johnson.

16 Are you aware of the scope of Nathan Sigler's  
17 work in the 2021 redistricting process? Do you know  
18 exactly what he was doing?

19 A I truly do not know exactly what he was doing.  
20 It was very technical, and I'm not a technical person.

21 Q Do you know what his instructions were in order  
22 to do work in the 2021 redistricting plan?

23 A No, I do not know what his specific  
24 instructions were.

25 MS. OLALDE: Okay. Defendants will reserve all

1 further questions.

2 THE VIDEOGRAPHER: Molly, do you need to get  
3 anything for the record or anything?

4 THE REPORTER: No, that's fine. Thank you.

5 THE VIDEOGRAPHER: Okay. Current time is 5:27  
6 p.m., and we're off the record.

7 (Discussion off the record.)

8 THE VIDEOGRAPHER: It's 5:28 p.m., and we're on  
9 the record.

10 MS. COPPER: And apologies, Ms. Johnson, I  
11 wanted to ask -- I know you had mentioned potential text  
12 message communications with Mr. Drummond about the  
13 timeline, and I wanted to ask your counsel -- we have not  
14 received any text message communications between them as  
15 part of your production, and so wanted to ask if you  
16 could send anything that was -- that you find over.

17 MS. OLALDE: Absolutely. It's my understanding  
18 that we've received any possible relevant text messages  
19 and that they've been reviewed and produced as they are  
20 requested in the lawsuit, so...

21 MS. COPPER: Thank you.

22 THE VIDEOGRAPHER: Time is 5:28 p.m., and we're  
23 off the record.

24 (Deposition concluded at 5:28 p.m.)  
25

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

HONORABLE TERRY PETTEWAY,	§	
et al.,	§	
Plaintiffs,	§	
	§	
	§	CIVIL ACTION
VS.	§	NO. 3:22-cv-00057
	§	
GALVESTON COUNTY, et al.	§	
Defendants.	§	

- - - - -

REPORTER'S CERTIFICATION

ORAL DEPOSITION OF CHERYL JOHNSON

FEBRUARY 28, 2023

- - - - -

I, MOLLY CARTER, Certified Shorthand Reporter in and  
for The State of Texas, hereby certify to the following:

That the witness, CHERYL JOHNSON, was duly sworn by  
the officer and that the transcript of the oral  
deposition is a true record of the testimony given by the  
witness;

I further certify that pursuant to FRCP Rule  
30(e)(1), that the signature of the deponent:

XX was requested by the deponent or a party before  
the completion of the deposition and returned within 30  
days from date of receipt of the transcript. If  
returned, the attached Changes and Signature Page



1 contains any changes and the reasons therefor;

2 \_\_\_\_\_ was not requested by the deponent or a party  
3 before the completion of the deposition.

4 I further certify that I am neither attorney nor  
5 counsel for, related to, nor employed by any of the  
6 parties to the action in which this testimony was taken.  
7 Further, I am not a relative or employee of any attorney  
8 of record in this cause, nor do I have a financial  
9 interest in the action.

10 Certified to by me on this 1st day of March 2023.

11  
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14 <%12752,Signature%>

15 MOLLY CARTER, CSR, RPR, CRR  
16 CSR NO. 2613, Expires 04/30/2024  
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1 Angela Olalde, Esq.

2 aolalde@greerherz.com

3 March 1, 2023

4 Honorable Terry Petteway Et Al v. Galveston County, Texas Et Al

5 2/28/2023, Cheryl Johnson (#5759026)

6 The above-referenced transcript is available for  
7 review.

8 Within the applicable timeframe, the witness should  
9 read the testimony to verify its accuracy. If there are  
10 any changes, the witness should note those with the  
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of  
13 Deponent and Errata and return to the deposing attorney.  
14 Copies should be sent to all counsel, and to Veritext at  
15 cs-ny@veritext.com.

16  
17 Return completed errata within 30 days from  
18 receipt of testimony.

19 If the witness fails to do so within the time  
20 allotted, the transcript may be used as if signed.

21  
22 Yours,

23 Veritext Legal Solutions  
24  
25

Honorable Terry Petteway Et Al v. Galveston County, Texas Et Al  
Cheryl Johnson (#5759026)

## E R R A T A S H E E T

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Cheryl Johnson

Date

1 Honorable Terry Petteway Et Al v. Galveston County, Texas Et Al  
2 Cheryl Johnson (#5759026)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Cheryl Johnson, do hereby declare that I  
5 have read the foregoing transcript, I have made any  
6 corrections, additions, or changes I deemed necessary as  
7 noted above to be appended hereto, and that the same is  
8 a true, correct and complete transcript of the testimony  
9 given by me.

10  
11 \_\_\_\_\_  
12 Cheryl Johnson

\_\_\_\_\_ Date

13 \*If notary is required

14 SUBSCRIBED AND SWORN TO BEFORE ME THIS

15 \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

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19 NOTARY PUBLIC  
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